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DEVONSHIRE CREAM.

AS we are told with such pertinacity of repetition that a Conservative reaction has set in, it is not unnatural that we should be somewhat curious to know what the said "reaction" is about, and what it proposes to do with us. We have examined therefore, with much interest, the records of a banquet at which was gathered together the *crème de la crème* of Devonshire Toryism. Three wise men of the West, Northcote, Palk, and Kekewich, on that occasion revealed as much as they thought fit of the mysteries with which the future is big. We had always understood that the peculiar characteristic of the Conservative reaction was the singular harmony and unanimity of its opinions. In this respect no doubt Conservatism has some advantage over Liberalism. It is not very difficult for any number of people to agree to do nothing, and a party prudent in negation ought to find no embarrassments in its nonentity. The real difficulties arise when it is necessary or desirable to do something, for then it is by no means equally easy to secure the concurrence of many minds. We are therefore surprised to find that the Devonshire pundits seemed so little in one story. Of course, they all agreed as to the magnitude, virtue, grandeur of the great Conservative party, and the terrible reality of the Conservative reaction. But what the great Conservative party was going to do, or when the great Conservative reaction was about to act, was a point which did not seem by any means settled. Nothing is more amusing than the diverse views of their situation taken by the different speakers, according to their various temperaments. They all agree that the Conservative party is the greatest, the wisest, and the best party that ever existed. Why then are the wise and good not directing the destinies of the nation? This is a troublesome and impertinent question which will intrude itself upon inquiring minds even in the remotest corners of Devonshire. Now each of our three political luminaries has a separate and completely satisfactory theory on this subject, none of which three theories, however, by the way, square one with the other. Sir L. Palk, who seems to be a specimen of the real old crusted Tory bin, is compelled very much against the grain to admit the melancholy fact, but growls at it in the real old fashion. The great Conservative party, quoth Sir Lawrence, "permitted a Government without a majority in the House of Commons, and without the confidence of the country at large, to meddle with the finances of the country and to pass laws of questionable utility." But why, we should like to know, does the great Conservative party so far neglect its duty as to permit the Liberal Government to do anything so highly improper? The Palkian theory of this strange anomaly is at once

amusing and instructive. He says, "They did this because they felt that the time had not come when the Conservative party could rise from that mass of obloquy which had been showered upon it by a venal press—a press supported by the Government which they wrote into power." What, the great Conservative reaction unable yet to rise from obloquy? Heartbreaking reflection! And then the cause too. A venal press has done it all! We cannot help thinking Sir Lawrence is a little hard upon the virtuous section of the press which devotes its disinterested services to the Conservative reaction. How comes it that the noble Conservative press has not been able to raise the great Conservative party from the obloquy which has been showered upon it by the venality of the Liberal press? How is it that the gratuitous and brilliant efforts of Tory journalism have not yet written Sir Lawrence and his friends into power?

Kekewich of the euphonious name—we wonder whether he is on sufficiently good terms with his Lord Lieutenant to obtain leave to change it—regards this gloomy topic from an easier point of view. His prospects of the future are not sanguine, it is true. "He had last year said, it was then impossible to fight a battle. Perhaps the next session might be the same. He thought there were many reasons to prevent its being a stormy session. He did not say there would not be some smashing and perhaps some growling." Could he possibly be referring to Sir L. Palk? "Very likely there might be, and there might be some skirmishing." Nevertheless Kekewich thinks it will all come to nothing. His reasons are somewhat different from the Palkian hypothesis. He does not say anything about a venal press; but he thinks the Queen ought not to be disturbed, the Prince of Wales is going to be married, and he ought to have at least a year's honeymoon; then the state of things in America makes it undesirable to disturb the Government, especially as Mr. Kekewich agrees that Lord Palmerston has done quite right not to interfere—wherein he seems widely to differ from the sagacious Pakington—and, lastly, the distress in Lancashire makes it expedient that the advent of the Conservative reaction should be postponed for another twelvemonth at least. Though why, from the Kekewichian point of view, should the inauguration of the great Conservative party in power aggravate the sorrows of the Queen, cloud the honeymoon of the Prince of Wales, entangle our relations with America, and add a pang to the Lancashire cotton famine?—We should have thought that, "*Disraeli duce et auspice Disraeli*," the wilderness would have blossomed like the rose, and under the influence of a triumphant Conservative party, every heart would have been filled with joy and every tongue with praise.

Next came the arithmetical and flaxen head of Northcote. He is not altogether disposed so patiently as Kekewich to post-

pone the period at which Northcote shall walk across the floor of the House of Commons, and take his seat on the right instead of the left hand of the Speaker's chair. His theory is that the great Conservative party are not in power because they get their work done for them by other people. He is too cautious to admit that Palmerston is as good a Conservative as Northcote, lest the clotted Devonshire cream should say, "Well then, had you not better leave him alone?" This would never do, so Sir Stafford gently intimates that, though the cat's paw may be a convenient test, yet, after all, the monkey is really the superior animal, and that it would be better if he were allowed to pull out his own chestnuts. The Northcotean doctrine is not that the great Conservative party is unable to rise above the obloquy of a *vezal* press, but on the contrary, that it has for the last twenty years accomplished everything good and great that has happened. Now Sir Stafford has written a book, and a very good book, on the yearly financial history of the country. He has drawn a picture of a national prosperity increasing in a ratio perfectly miraculous. But has the author failed to remark that the growth of the financial prosperity of England is neither more nor less than a continuous march of Liberal triumphs and Conservative defeats? The policy of free-trade was inaugurated by the man whom the great Conservative party designated as Iscariot, and the political organization, of which Lord Derby and Mr. Disraeli are the chief, was formed on the basis of opposition to the measure which it is now admitted has been the salvation of the country. The great Conservative party, which overthrew Sir Robert Peel, was formed for the express purpose of resisting the repeal of the corn laws. In this object they were happily defeated. They resisted the repeal of the navigation laws—again they were defeated. They resisted the equalization of the sugar duties, but always with the same success. They fought in vain against the succession duty with the same result. They proposed financial schemes of their own which were contemptuously neglected. Their last campaign was against the commercial treaty with France, and they were happily worsted in their opposition to a measure which has given us the only profitable compensation for the diminution of our American trade. Such have been the feats and such the glory of the great Conservative party. We observe that in his enumeration of Conservative triumphs, Sir Stafford Northcote carefully avoids all allusion to the most striking incident of last session, in which his party did make a desperate and futile attempt to supplant the ministers whom he boasts that they control. It was thought more discreet to keep out of the view of the Devonshire squires the celebrated speech of Mr. Disraeli on "bloated armaments," and the indictment from which Mr. Walpole ran away.

On the whole we are disposed to believe in the Keke-wichian prophecy: "there will be some smashing and perhaps some growling;" there may be some skirmishing, but the great Conservative party, however big they may talk, don't mean fighting. They know that the country does not trust the men whom they would have to place at the head of affairs, and what is still more to the purpose, do not trust them themselves. The great Conservative party are shrewd enough to suspect that it is a safer occupation to talk nonsense in Devonshire than to get into scrapes in Downing Street.

NEW YEAR AT THE TUILERIES.

CONTRARY to custom the Emperor of the French has received the new year in silence. The curtain falls upon the drama of 1862, and the Imperial player has not been summoned to the foot-lights; nor has he chosen to court the criticisms of a dissatisfied and disappointed audience. At the beginning of the year which has just closed France occupied in Europe a splendid diplomatic position. Her dignified voice had just been heard rising above the storm which threatened the peace and friendship of England and America. The opinion of the cabinet of the Tuilleries had been received with a courtesy and a respect that showed clearly the influence their sovereign possessed in the council-chambers of the world. Nor on the Continent was the part played by the French Empire inferior to that which an ambitious prince might have conceived as the summit of his wishes. The Italians, expectant and deferential, turned towards their great ally, and seemed half inclined to take permanent shelter under the shadow of his wings. It appeared as if the Genius of Italy had seated itself pensively at

the footstool of the Napoleons. France, like an armed Minerva, stood forth with pride as the champion of right and justice, as the moderator and charioteer of progress; and, by universal consent, as the first figure in the royal amphitheatre of nations. The year that expired last week has seen a change in all this. The French Empire still, of course, holds a foremost place; but its hegemony is departing or departed. A premature movement in favour of intervention in America has exposed French diplomacy to a mortifying repulse. The French consul at New Orleans, like the rest of the world in that city, endures without much redress the insults and threats of a *martinet* attorney. How little America hopes or fears from the French flag may be seen from the semi-indifference with which the rumours of French intervention are received. It is upon England that New York and Boston fix their attention. How long will Lancashire bear the blockade? When does the British Cabinet propose to interfere? These are the questions that chiefly agitate the newspaper politicians of the capitals of the New World; and France is less canvassed, less feared, less threatened, less defied. If the influence of France is lessened on the other side of the Atlantic, what is to be said of what has happened to her beyond the Alps? During the last year she has succeeded by her reactionary and short-sighted policy in obliterating the memory of the campaign of Lombardy, and in exhausting the gratitude of Italy. The Italians, at last, are tired of waiting till it pleases the French Emperor to fling them Rome. With dignified wisdom they have signified to him that the time has come when negotiations between France and Italy on the subject of Rome had better cease. This is the best thing that an Italian Government has done since Cavour's death, and smacks not a little of the policy of Cavour himself. To France it is a wholesome and a well-merited rebuke. While Italy has shown symptoms of emancipating herself from the incubus of French patronage, Greece, by way of contrast, has paid a splendid compliment to the English people and to English justice. No more bitter lesson could have been inflicted on French vanity than this anxiety of the Greek nation to be allied to the reigning family upon the English throne. So far as French dignity is concerned, the Mexican expedition has proved equally a failure. Of the ultimate success of the French arms no doubt is entertained by those who are best acquainted with the Mexican character. But that success has now been delayed too long for the prestige of the French Emperor; and as yet the only result of the armed intervention has been to awaken the dissatisfaction of the taxpayers of France and the jealousy of Spain.

A brief retrospect of the past year has probably convinced the Emperor of his mistakes. They are most of them the errors of a student and a dreamer, whose projects are unreal or shadowy in the extreme. The diplomacy of the French Emperor is injured by the theoretical and philosophic turn of his own mind. The French Empire, as a destructive force and as a solvent, is all-powerful in Europe. It represents the principles of nationality, of revolution, and of free thought. As the leader and armed champion of these ideas Napoleon III. is more influential on the Continent than Englishmen can well bring themselves to allow. But the constructive power of the French empire is less than its destructive. When it comes to grouping nationalities together, to settling frontiers, to arranging compromises between the past and the present, France loses half her power. This is the weak side of French policy. Gunpowder is an excellent thing for blasting a rock, it is not of much use for building a house. The French are too apt to forget that it is before the ideas France propagates, not before the intellectual genius of France herself, that Europe stands confounded. Her mission is to destroy the past; it is mere vanity which leads her to suppose that mankind is willing to accept her political map of the future. The mania is common to all Frenchmen. There is not a statesman or politician of any notoriety, from M. Emile de Girardin upwards, who has not a plan for the re-construction of the globe upon theoretical principles of his own. Napoleon III. shares the universal delusion of his subjects. He is not content with freeing Italy from Austria, he must needs force an Utopian constitution, and a ready-made federation on the emancipated peninsula. He attacks Mexico under a pretext of necessity and national honour; but in his own heart he has already settled what is to be done with Mexico, and is prepared to make her fit into some wider arrangement—which he has upon his cabinet-table—for disposing of the

destinies of Central and South America. He proposes to mediate between the North and the South. It may be that the pressure of the blockade is becoming sensibly felt by French commerce. It is far more probable that the Emperor's true object is to realize some scheme which he has in the background, and of which the separation of the Union forms an essential part. This passion for reorganizing and rearranging is natural to a monarch of reserved and reflective habits, and of almost uncontrolled authority. But it is not the less likely to bring the sovereign who indulges it into difficulty. The year 1862 will remain as a signal instance of the truth that the policy of a great country like France should not be founded upon the obscure and visionary theories even of the most ingenious Imperial thinker.

Napoleon I. used to say that he "had a horror of idealogues." Napoleon III. is an idealogue *par excellence*. Like Plato, he might have composed a scheme of an ideal commonwealth, only that, unlike Plato, he would have insisted on carrying it out as an experiment in Italy or in Greece, or in Central America, or in the Danubian Principalities. It is a misfortune that the Gordian knots of the nineteenth century should have to be cut by a dreamer and a speculator who, when he has cut them, insists upon replacing them with Gordian knots of his own. If Austria had held Italy, we should have had at last a melancholy insurrection, an Hungarian and Venetian war, perhaps a revolution at Vienna; after which Italy would have been free, and Italian affairs would have fallen into a natural groove. As it is, we have had a Franco-Italian campaign planned and executed by a visionary and idealist Emperor, who has spent the time ever since Magenta and Solferino in trying to cut down Italy to suit a preconceived fantasy of his own. A matter-of-fact soldier would have bombarded Vera Cruz and perhaps overrun Mexico; but Mexico would neither have been by this time a French dependency or a reformed and chastened nation. The French Emperor, instead of this, approaches the Mexicans with loud professions of impartiality, with a sentimental intrigue in favour of Almonte and the Spanish clergy in one hand, and the Archduke Maximilian and an ideal constitution carefully concealed in the other. A practical and worldly-minded diplomatist would either have interfered to break the Gulf blockade, or have held his peace altogether. Napoleon III., who has some Utopian view or other in his head, interferes to no purpose in order to gratify some theory, and lets the world know that his anxiety to do so has been of no avail. It is not true to say that the Emperor of the French is mystery incarnate; he is as mysterious, and no more mysterious, than a reserved and taciturn bookworm is mysterious. Nobody can predict, it is said, what he will do; nobody, it is true, can guess at the particular project which may have seized upon his imagination. But that he has projects in plenty is certain; and it is equally certain that he never acts except upon a project. Nor is it to be doubted but that his projects are ingenious, and that upon paper they seem feasible enough. Unfortunately, in action, they are almost useless; and the sovereign who, but for this besetting sin of theorizing, might be of much service to civilization, reduces himself thereby to a mere puppet in the hands of superstition and reaction.

If Napoleon III. desires to reap the admiration of a future generation, he will lose no time in laying aside the temporizing character of a European Whig, which he has been tempted latterly to assume. We do not wish to see him turn into a revolutionary firebrand; but there is a long interval between a firebrand and a consistent Liberal. The Emperor has been carrying on long enough an intellectual flirtation with philosophers and schemers and reactionists. It is not his mission to bridge over the gulf that separates the old and the new state of things. It is not his mission to reconcile Catholicism and revolution, Italy and the Papacy. Such an Imperial programme is worthy only of a Cagliostro, who has nothing but nostrums and philtres to run the diseases of the world. The celebrated Tory-Radical coalition proposed by Mr. Disraeli would be less preposterous than this notion of a Catholic happy family, in which all the patriots were to be moderate and all the Popes virtuous. The Emperor Napoleon is not, nor can he ever convert himself into a Lamennais. He is not a Catholic in sentiment or in conviction. It is folly for him to ape the character for the purpose of carrying out a crotchetty and chimerical idea. Let him be content to initiate great movements without assuming to himself the right to direct their course or to

bridle their freedom. He cannot guide the world; he cannot remake it. He has the power—and it is a power which the most ambitious might envy—of leading a crusade against abuses. If he is wise, he will cease to try to impose his own conditions on the progress he sets in motion. He will drop the sentiment, the theories, the Catholic clergy, the sage Ultramontanism, which hamper him and prevent him from being a great actor on the European stage. Let him put off the prophet of the cave and put on the character of the chief of a civilized and liberal nation. Let him put off the student of Ham and remember only that he is Emperor of France. It is yet in his power, by a new and Liberal policy, to recover the ground that he has lost in 1862, and to raise the French empire in 1863 to the niche in European estimation that is open for it to fill.

AMOUNT AND COST OF CRIME IN ENGLAND AND WALES.

SO much attention has of late been given to the subject of crime and criminals, that it cannot fail to be interesting to our readers if we endeavour to lay before them as much as is known or can be calculated as to the number of malefactors existing in these islands, the quantity of crime annually committed, and the expense inflicted on the country in supporting it, punishing and providing against it. The yearly volume of "Judicial Statistics" issued from the Home Office, which is admirably compiled and analysed, will furnish us with most of the particulars we require. The following figures relate only to England and Wales:—

I. *As to the amount of crime.*—This is, of course, a very different thing, both from the number of offences committed and the number of offenders punished. Thousands of crimes are annually committed, especially those of a minor character, which are never detected or published, and thousands of criminals are charged to whom conviction cannot be brought home. For example, we find for 1861 50,809 crimes recorded, on account of which only 27,174 persons were apprehended. Of these only 16,764 were committed for trial, and only 13,879 convicted. Of the more serious crimes, or indictable offences, such as are tried by juries at sessions and assizes, the number last year was, as we have seen, 50,809. Of minor offences, ranging from vagrancy and drunkenness up to theft, and disposed of summarily before magistrates, there were 394,717 charged, which resulted in the conviction of 263,500 persons. On the whole, therefore, it appears that nearly 500,000 offences, large or small, come annually under the cognizance of the police, and that nearly 300,000 persons are punished for them.

II. *The Numbers of the Criminal Classes.*—Great pains have of late been taken by the authorities to ascertain and keep an accurate record of that portion of the population which is known to live by crime or vagrancy, which last nearly always implies a course of petty pilfering, or of mendicancy approaching very nearly to the same character. Nearly all these classes are pretty well known to the police in their respective districts, and the returns now presented only include those whose trade is depredation, omitting those who, though they may have been once convicted, are now believed to be pursuing a course of honest industry. The list is as follows, in round numbers:—

Known thieves and depredators	30,000
Receivers of stolen goods.....	3,800
Suspected persons	34,000
Vagrants and tramps	23,000
	90,800

To these we must add the number of criminals actually in prison, viz.—

In local prisons.....	15,601
In convict prisons.....	7,123
In reformatories	3,199
	25,923

Making a gross total of 116,723, whose business and habit it is to prey upon society in one form or another.

III. *Expense of Crime to the Country.*—It must be allowed that the above numbers constitute a very considerable and a very formidable army—one nearly as large, in fact, as Her Majesty's regular troops. Let us see, now, what sort of a force we keep on foot for watching, defeating,

and punishing this crowd of malefactors. It amounts to about one-fifth of the criminals. The total is :—

Police and constabulary	21,413
Establishment in local prisons.....	2,334
Establishment in convict prisons	1,182
	24,929

That is to say, we have 25,000 guardians of the community to deal with 120,000 enemies of it—a proportion which, well handled, ought surely to be adequate.

Thus far, we are dealing with ascertained results, to which, no doubt, in order to get at the complete truth, a large addition would have to be made, but containing within them no conjectural element. They are *inadequate* assuredly, but not incorrect. We may go a few steps further in certainty, but only a few. The recorded cost of our repressive and punitive establishments is as follows :—

Police and constabulary	£1,579,222
Outlay in local prisons.....	542,306
Outlay in convict prisons	253,731
Cost of convict establishments abroad ...	171,861
	£2,547,120

Against this sum we ought, perhaps, to set the estimated value of the prisoners' earnings, though it is so mere an estimate that we confess we do this with much misgiving. These earnings are said to be :—

In local prisons	£35,300
Convict prisons at home	111,000
Ditto Bermuda and Gibraltar (?)	90,000
	£236,300

We have not included in the cost of criminals to the country either the outlay on reformatories, as to which we have no return, or the proportion of the salaries of judges, &c., which we cannot accurately apportion. But, on the whole, we cannot state the cost of *convicted* offenders to England and Wales at a lower figure than two millions and a half annually.

But how are we to estimate the expense of keeping the *known but unconvicted* criminals? It is certain that they live at the cost of the community, and that in many cases they live very well. They do not work, and they do steal. They are maintained by a local rate just as surely as the malefactors whom we shut up in gaol,—though it is a rate assessed and levied by themselves. Few who know the recklessness and sometimes the luxury, and always the wastefulness, of the criminal class, will be disposed to think that the undetected predators (those out of prison) can be maintained at as small a cost as those who are provided for during their confinement on a systematic scale at the public table and in public buildings. The average cost of a prisoner in local gaols is £26 a year, in convict prisons it is £33. We believe that very few thieves and ruffians at large spend much less than 20s. a week. But we will take a more moderate estimate, and calculate their cost at 12s., or the same as their incarcerated fellows, say £30 a year. At this rate the 90,800 registered pilferers and rascals at large cost us not less than £2,724,000 per annum. If we add this to the figures previously given, we shall arrive at the startling but undeniable result that our criminal classes cost us—in guarding against them, in detecting them, in punishing them, and in supporting them in idleness in and out of prison—not less than FIVE MILLIONS a year, and this without including either Scotland or Ireland in the calculation.

Now, £5,000,000 is about half the sum we expend upon our navy, and about a third of that assigned to our army. It is about the yield of the tea-duty, the tobacco-duty, and the sugar-duty, respectively. And no one who has followed the various papers which have recently appeared in our columns, and more especially the comparison of the English and Irish convict systems which we published last week, will feel much doubt that, by better management and the adoption of sounder principles, this enormous expenditure might be reduced one-half. If we took reasonable pains to nip crime in the bud by dealing wisely and effectually with juvenile delinquents; if we made the punishments we inflicted on crime severe enough to deter amateur offenders, and to make professional depredation a bad trade; if, when we had once got hold of a regular and habitual offender, we never let him loose till his habits and character were radi-

cally changed; if we resolutely incarcerated for life those whom we found it impossible to mend; and if we did all we might do to smooth for those we liberate the backward path to an honest course,—we hold it to be absolutely certain that half our gaols might be shut up, and half our expenditure avoided. Sir Joshua Jebb and Sir George Grey must cost the country at the present moment not less than a million a year each. We cannot think they are cheap at the money. Even gold may be bought too dear.

THE LAST NEWS FROM JAPAN.

AS an occasional variety amid the accounts of those thrilling events which follow each other in rapid succession upon the American continent, we now and then receive strange and disjointed fragments of news from the Far East, rendered doubly unintelligible in the first instance by a telegram which has condensed it into nonsense, and, even in its detailed form, by such mutilation of the names as to be scarcely comprehensible to those who are familiar with those distant regions. To the general mass of the public, the very vagueness of the tidings only serves to increase that feeling of uneasiness with which it has lately become the fashion to regard our policy in China and Japan. The account of a "rebel movement in Shantung" is apt to produce in the minds of those who have not a conception where Shantung is, serious misgivings as to the wisdom of Captain Sherard Osborn's expedition; and the "bloodless revolution" now taking place in Japan is attributed to diplomatic mismanagement by persons who never heard of the Gorogio. Unfortunately, an extension of our commercial relations with partially-civilized countries must always imply increased responsibilities and involve heavier risks. Whether it would have been wiser to have abstained from any such intercourse, it is not for us here to determine. In the case of China, it would be easy to show that no policy which could have been pursued, would have averted those hostilities which were inevitably incidental to that intercourse, though they might have occurred at a different period and under other circumstances; and in the case of Japan it would be folly to cherish the delusion of uninterrupted peaceful relations. Nations, like individuals, are oftentimes forced into courses of action attended with dangers and difficulties, which are easily foreseen but impossible to be avoided; and at the period of our negotiation of the treaty in 1858, the Japanese Government anticipated, as surely as we did ourselves, those troubles which are now impending. America had already extorted a treaty from Japan, which was afterwards adopted by this country, concessions, however, being made to the Japanese Government in the case of some of the most obnoxious conditions. Russia had concluded a treaty most advantageous to herself. France and Holland were both negotiating. It would have been impossible for this country, with a mercantile community resident in the East ten times greater than that of all the other treaty-making Powers put together, to hold aloof. It is indeed true, that no pressure was required on our part to obtain the treaty; whatever pressure was necessary had been applied by those negotiators who went before us. The Japanese gave us reluctantly what they had given to others, and would have been much astonished if we had not asked for the same. A certain show of opposition was occasionally thought necessary, but it never amounted to more than coquetting, and was not intended seriously. The barrier had been already broken down; what was the use of resistance then? While, however, we cannot be held responsible for having forced a treaty upon Japan, upon us fall all the liabilities arising out of the introduction of foreigners into the country. Four-fifths of the foreign community in Japan are English, who, on the faith of the treaty, have established themselves in the country, built houses, stores, and invested money in a variety of ways, while they are carrying on a trade of upwards of a million sterling a year, which is rapidly developing, in spite of the adverse influences which surround it. It is as well that the British public should understand that beyond the abandonment of this trade, the payment of a large sum of money to the mercantile community interested in it in compensation for the heavy loss to them which withdrawal from our treaty rights will involve, and the employment of force, there is no alternative. The British public who ratified the treaty have no right to complain if it involves them in difficulty; but, in point of fact, they had no other alternative, and

they must find consolation in their dilemma from the philosophy of our trusted ally, who will be delighted to join a looting party to Japan, and console himself with the "inexorable logic of facts."

The news which we have just received from Japan tends to bear out this view. Although it is couched in terms so vague that, even were we more familiar with Japanese institutions than we are, it would be impossible to draw other than vague conclusions from it, those conclusions are by no means encouraging. In order to understand the probable effect of the abandonment of the temporal capital by the nobility, it is necessary to glance cursorily at the circumstances under which they first became resident at Yedo. Scarce three centuries have elapsed since Japan boasted of only one emperor, who united in his august person temporal as well as spiritual functions. Head alike of Church and State, the palmiest days of pontifical rule would furnish the nearest analogy to the system of the government at that period. The empire, however, consisted of a collection of principalities, whose rulers enjoyed almost absolute independence, and whose allegiance to the Emperor, in the first instance real, had gradually become little more than nominal, until at last a revolution occurred which threatened to overturn the Imperial Government altogether. The Emperor confided the suppression of this rebellion to a man who not only succeeded in reducing the rebellious princes to obedience, but constituted himself their temporal head, depriving his master of all but his spiritual privileges and nominal dignity as head of the State, while he himself established the seat of his government at Yedo, then an unimportant town, and rendered it compulsory upon the vanquished princes to reside a portion of every year at his new capital; to maintain extensive establishments in that city; and to leave as hostages in their absence some of the most important members of their families. While these princes were permitted to exercise almost absolute power in their own territories, they were held in check by the Government at Yedo, which consisted, besides the Tycoon, of a Gorogio, or Chief Council of State. In the event of the direct line failing, two other families were chosen to supply a Tycoon. The three families together are called the Gosankey. In the event of the Tycoon being a minor, a regent is chosen, called the Gotiro. A reconstruction of the nobility took place. Some of the territories were constituted and formed into imperial domain; others were subdivided, and the country generally cut up into smaller provinces; so that, while the number of Daimios, or nobles, was increased, their power, individually, was diminished. The compulsory residence at Yedo has ever been irksome to the nobles, as reminding them of their defeat, and the more powerful have lately neglected to comply with an obligation which a rapidly declining administration has been unable to enforce. Gradually the principal nobles have begun to emancipate themselves from their allegiance to the temporal Government, and in the presence of the foreigner have found that excuse, which they have eagerly sought, to repudiate their allegiance to the temporal authority, and abandon their compulsory residence at Yedo. As all the attacks on foreigners have been made by the retainers of these nobles, whom the Japanese Government was afraid to punish, and as it was constantly involved in difficulties with foreign powers in consequence, it has regarded the withdrawal of the Daimios from Yedo with complacency, preferring a loss of dignity and the risk of internal combination against itself to a foreign war. It is easy to foresee, however, that if the nobles, now left to their own devices, choose to combine against the temporal Emperor, either for the purpose of regaining the imperial territory, and dividing it amongst themselves, or of ejecting the foreigner, the Government at Yedo will look to us for assistance. We shall have been the cause of the blow to its authority, which the defection of the nobles has inflicted on the Government, and we shall be bound to support it against its internal enemies. The downthrow of the temporal Emperor would imply the massacre of every European in Japan, and our interest, no less than our sense of honour, would oblige us to act in his behalf. Fortunately, almost every prince's capital is on the sea-coast, and most of their palaces are easily attainable by water. With the imperial armies operating in conjunction with our gunboats, the struggle could not be of long duration, and would place our commercial relations in Japan on a firm and enduring basis.

ENGLISH WRITERS ON SCOTCH LAW.

THE Scotch are rather a sensitive people. They dislike all criticism, and they have an especial distaste to criticism from this side of the Tweed. Being the smaller and poorer country, they resent with peculiar bitterness any disparaging remarks from their powerful neighbour. This has been observable ever since the Union. For many years after the passing of that measure their jealousy broke out in fierce riots; now, tempered by time, it displays itself in the milder form of angry writing. Like Mr. Pott and Mr. Slurk, the combatants abstain from personal hostilities, and the whole country, like Eatanswill, "rings with the noise of their terrific contests—on paper."

We think they carry this feeling to an extreme; but, if anything can excuse its excesses, it is the tone which English writers too often assume when treating of Scotch manners and Scotch institutions. It is not good that men should venture either to praise or to blame what they don't understand, but it is especially incumbent on fault-finders to speak with intelligence. Englishmen speak of things Scotch more frequently in a spirit of censure than in a spirit of commendation; and they should, therefore, take especial pains to instruct themselves accurately in this subject. We regret to say that, as a rule, they are far from being so instructed. They write in a grand patronizing style, but they don't in the least know what they are writing about. In plain words, they generally contrive to exhibit the grossest possible ignorance in the most offensive possible way. This tendency has of late been unusually conspicuous. It was displayed to a considerable extent with regard to the notorious trial of Mrs. M'Lachlan at Glasgow, last autumn; and it has been displayed still more remarkably with regard to the Yelverton case. Many English journals have commented on the late judgment in that case; very few, we regret to say, have done so with fairness or with understanding. But by far the most discreditable performance which we have seen, was an article in the *Saturday Review* a fortnight ago. This article was not only arrogant and insulting, but it possessed another characteristic which did not always mark that periodical in its prime, that of profound ignorance. The writer condemns Scotch law—nay more, he loudly abuses it, while every line that he writes proves unmistakably that he knows no more of Scotch law than he does of good taste or good sense. "These be very bitter words;" we proceed to justify them.

We pass over the writer's blunders as to the scope and bearing of the Irish verdict; as to the aspect in which the case was presented to the Court in Scotland; and his ludicrous argument that the Irish verdict renders a Scotch marriage impossible. Such blunders, indeed, would bring deep discredit on any ordinary writer; but they are dwarfed into insignificance before those which follow. Before proceeding further, it may be convenient to repeat our former statement as to the Scotch law:—People may be married in Scotland in two (at least) irregular ways. 1. If they interchange a consent to the contract there and then; or, in the legal phrase, by consent *de presenti*; or, 2. If they promise to marry, and subsequently cohabit on the faith of such promise—with the restriction that, in this latter case, the promise must be in writing, or admitted on oath by the party making it. But, in order that marriage may be constituted, all these things must take place in Scotland. The consent in the former case must be interchanged in Scotland; and in the latter case, the promise must be given, and the subsequent cohabitation must take place, in the same country. Now (1) this writer says: "If, as Lords Curriehill and Deas hold, the Scotch marriage consisted of two parts, one of which (the promise *de presenti*) took place in Scotland, and the other (*subsequente copula*) in Ireland, then, &c." We should like very much, indeed, to know if the author of this sentence attached any clear meaning to the words he was writing down. We certainly can extract none from them. If there is any part of the paragraph which puzzles us more than another it is the words, "promise *de presenti*." They are to us utterly mysterious—only showing this, that the writer's familiarity with the English and Latin languages is about on a par with his knowledge of Scotch law. If we make this great censor intelligible in spite of himself, and relieve him from his troublesome Latin, by omitting the words "*de presenti*," then he makes the judges say, that a promise in Scotland, followed by *copula* in Ireland, constitute a Scotch marriage, which the judges never did say.

In short, the sentence is either bad law or illimitable nonsense. 2. "Marriage must consist of consent *de presenti*, and the promise must be followed by *copula* under certain circumstances." Here this eminent critic uses the word consent rightly enough; but immediately thereafter that fatal word "promise" creeps in—confounding him utterly. What promise does he refer to? He has spoken of none. This dogma we give up as hopeless. No amount of ingenuity can make it either good sense or good law. 3. "The evidence as to 'consent' being thus imperfect and suspicious, a necessary link is wanting between the first and second constituents of a marriage according to the received interpretation of Scotch law." This sentence would suggest the idea, that, if the writer has any idea on the matter at all, he thinks that a Scotch marriage is made up of two things: 1. Consent; 2. Copula; leaving the mysterious "promise" quite unexplained. There could hardly be a grosser error. The contract is perfected by consent alone. One of the commonest maxims in the Scotch Courts is—*consensus (not concubitus) facit matrimonium*. But we are rather disposed to think that the unhappy man has no ideas whatever, at least on this matter; but that finding the words "consent," "promise," and "*subsequente copula*," used by the Scotch judges, he dutifully follows suit, heedless of intelligibility. 4. We are assured that the correspondence, by which two of the judges were "palpably biassed," had "nothing to do with the simple issue presented to them," and that the Lord President said so "with something like the contempt of common-sense." Here is an error both of law and of fact. The letters had a great deal to do with the case, and the President never said they had not, either with or without contempt. In all such cases, letters are of the highest importance, as showing whether marriage had really been in the contemplation of the parties; and the President expressly announced the opinion he had formed of the bearings of the letters in this case, and said he was only saved from going over them in detail, because that had been done by the other judges. The Saturday Reviewer must have "waded" through the judgment to very little purpose. 5. We are solemnly assured that "the judgment in favour of the pursuer goes to this extent, that an incomplete marriage, according to the very peculiar Scottish law, may be completed in a domicile where that law has no force;" and, with indecent insolence, that, "according to the latest expositors of Scotch law, marriage may be defined to consist in two elements—viz., loose talk and incontinence—which talk and which incontinence may be separated by days and weeks, and, for aught we know, by months and years, as well as by oceans and thousands of miles." Whatever this pack of words may mean, it certainly does not set forth Scotch law or anything like Scotch law. It is not true that a promise in Scotland and *copula*, "in a domicile where Scotch law has no force," will make a Scotch marriage. Both elements of the marriage must be in Scotland, and no view to the contrary of this was ever expressed. Nor is it true that any Scotch judge ever said that "loose talk and incontinence" would make marriage. No "talk" of any kind—loose or otherwise—will be received as constituting a disputed promise; for it is one of the most elementary principles of Scotch law that such a promise *must be in writing*. And not only so, but that writing must be distinct and unmistakable in its meaning.

We have no patience for more of this work. We have said enough to establish the truth of our assertion, that the writer of this article is grossly ignorant of the subject which he has ventured to discuss. And yet he has not hesitated to assail Scotch judges, and to denounce Scotch jurisprudence in language the most violent. The judges were "palpably biassed," were "swayed by sentiment rather than law," and "influenced by considerations which will have no place at Westminster." Scotland is "not above Japan in real civilization;" Scotch law is "a mockery of all that belongs to religion, morality, and social order;" indeed "we might as well live under Norman law as under this law." On this side of the border the spectacle of foolish bluster thus striving to make amends for culpable ignorance is merely contemptible. To expose it is no pleasurable task, and one to which we certainly should not have stooped, had it not been for the consideration that such a style of attack will do mischief elsewhere. Scotchmen will be angry, and will be angry with good cause. And anger will prevent their listening with favour to fair and kindly discussion.

Criticism on a nation's institutions is not less useful than on a nation's literature. But ignorant abuse is not criticism; and it tends to deprive criticism of its due influence. Such ignorance and such abuse as we have exposed on a subject the most trivial would be discreditable to a paper the least respectable. But when it is displayed on such a subject as the marriage-law of the sister-country, and in a newspaper which arrogates to itself dignity, infallibility, and exalted position, it is something more than discreditable. The mighty are indeed fallen when such an article is allowed to appear in the pages of the *Saturday Review*.

"HISTORICUS" AND THE "LONDON REVIEW."

A SOMEWHAT intemperate letter has been addressed to us by "Historicus," on the article which appeared in our last number on the subject of "Neutral Trade with Belligerents." It will be found in another part of the paper. Only a few months ago this same writer showed himself ignorant of the doctrine of blockade, and was proved to have done M. Hautefeuille considerable injustice. It is not surprising, therefore, that he should be anxious to damage the authority of the distinguished French jurist, or that he should see no courtesy in expressing "his confident hope, that in advising the Crown, the Queen's Advocate" (who is Dr. Phillimore, and who agrees with M. Hautefeuille) "should pay no attention to the opinions of Dr. Phillimore." On the 23rd December, "Historicus" distinctly asserted that, according to Hautefeuille, not only a trade in contraband carried on by a neutral subject with one of the belligerents in a neutral territory is unlawful, but that *it is a trade which the neutral government is bound to prohibit and prevent*. Now we once more assert that neither M. Hautefeuille nor Dr. Phillimore expressed any such opinions. What they do assert is, that such trade is a breach of neutrality, but they do not hold that the neutral nation is bound to prohibit it.

In order to explain this, it was necessary to show that, according to Hautefeuille, and according to Phillimore, international law consists of two parts: the primary or divine law, or international morality, and the secondary or customary law. According to "Historicus," this is mere "nonsense," or, as he phrases it, "cant phraseology." If he will read the two first pages of the Commentaries of Kent, whom he may perhaps admit to be an authority, he will find this very distinction adopted. Kent says, "The most useful and practical part of the law of nations is no doubt instituted or positive law, founded on usage, consent, and agreement. But it would be impossible to separate this law entirely from natural jurisprudence, and not to consider it as deriving much of its force and dignity from the same principles of right reason, the same views of the nature and constitution of man, and the same sanction of Divine revelation as those from which the science of morality is deduced. There is a natural and a positive law of nations." The editor of the same book quotes with approbation the *Edinburgh Review*, which divides the law of nations into: 1. International Morality—the Divine, or natural law of nations. 2. International Law, being rules of conduct sanctioned by public opinion and usages of civilized nations on the positive law of nations. Now this is precisely the doctrine stated both by Hautefeuille and Dr. Phillimore; if they err, they err with such men as Kent; and this they may well prefer to shining with "Historicus" and his learned friend, who consider "eternal justice" another name for "infernal nonsense."

We pointed out that an act may be a violation of international morality or the primary law, and yet there may be no penalty attached to such a violation by the secondary law of nations. Moreover, we pointed out that there were many acts which, although unlawful according to the primary law, yet were not and ought not to be prohibited by any nation. One of these acts, according to Hautefeuille, Phillimore, and the commentators of Valin—whom "Historicus," with his accustomed arrogance, calls "flimsy," is the sale of arms on neutral ground. "Historicus" then attempts to show that Hautefeuille, in arguing against Lampredi, admits that the sale of arms on a neutral territory ought to be prohibited. But any one who can understand a legal argument will at once perceive that this is a mistake. Hautefeuille's argument is this: I will prove to you that the sale of arms on a neutral territory is unlawful, or, in other words, a violation of neutrality. There are municipal laws—

statutes and decrees—which, as Kent says, are made to enforce the value of neutrality. Now throughout Europe and in America it is forbidden to sell arms in harbour for the purpose of arming a ship. Here, then, is a particular case of sale which is forbidden by a municipal law, which has been passed in accordance with international law. Such a sale must have been considered a breach of the law of nations.

But, further, "Historicus," quoting half a sentence from Hautefeuille, insists "that the primary and secondary law, jointly and severally, prohibit such traffic." He does nothing of the sort. What he says is: "According to the primary law the duty of neutrals is to abstain from furnishing to belligerents any of the articles which are called *contraband*. The secondary law "*n'a rien changé, n'a rien modifié à cette disposition*; it has confined itself to setting up a special sanction against the violators of these rules, who use the sea in order to complete their offence." In other words, the secondary law does not alter or modify the rules of the primary law; all the secondary law does is to entitle the belligerent who finds a neutral carrying to his enemy *contraband* of war, such as arms, on the high seas, to seize these contraband goods.

"Historicus" seems unable to understand or conceive, that although an act may be immoral, it may not be the duty of a Government to prohibit it. He adds, that if M. Hautefeuille's doctrine prevailed, a feeble neutral would very soon have this duty inculcated upon it by a powerful belligerent in a manner which would be anything but theoretical. Now, it is a well-known fact, that this is exactly what happened. In 1793 the Americans were neutrals and weak. The French called upon them to prohibit the sale of horses to the English as contraband, whilst the English called upon the American Government to stop the sale of munitions of war as contraband. Even so late as the 27th September, 1855, the Earl of Clarendon, who was then Foreign Secretary, thus wrote to Mr. Marcy, the American Secretary of State:—"The United States profess neutrality in the present war between the Western powers and Russia; but have no actions been done *within* the United States by citizens thereof which accord little with the spirit of neutrality? Have not arms and ammunition, and warlike stores of various kinds, been sent in large quantities from the United States for the service of Russia." "Historicus" may possibly be able to explain the grounds upon which Lord Clarendon considered the acts of American citizens as a breach of neutrality: or why it was that the English Government of that day attempted, as "Historicus" says, "to devolve upon America an intolerable responsibility?" No doubt Lord Clarendon agreed with his predecessor, Mr. Hammond, with Hautefeuille, and with the Queen's Advocate, that, although the sale of arms by a neutral is a breach of neutrality, a neutral nation is not bound to prohibit such sale by the only means in its power—a municipal enactment.

If any further evidence were needed to show that this same doctrine is held by many eminent jurists, we might refer to Mr. Duer, one of the late revisers of the statutes of New York, in his admirable book on Insurance.

In the first volume, p. 750, ed. 1845, he says:—"It has been alleged that the conduct of a neutral who engages in a trade that, by the law of nations, subjects his property to capture and confiscation, is not illegal; that he has a perfect and lawful right to engage in the trade, and the belligerent a right equally perfect and lawful to seize and confiscate the property so employed. But the grounds on which this allegation is made are not easy to be discerned." "Were the trade," he says, "lawful; although the belligerent might be allowed, from a regard to his own safety, to intercept warlike supplies destined to the use of his enemy, he would be bound to pay their value and satisfy their freight, for then the injury to himself would be prevented and the rights of the neutral be preserved." And he adds, "It is the illegality of the trade that can alone justify its interruption." Again, "It appears from recent decisions in England, that the doctrine I have stated has been there explicitly recognized. It has been in effect determined that an insurance made in a neutral country on a neutral ship, where the voyage is undertaken with the intention of violating a blockade, is illegal and void, on the sole ground of the illegality of the voyage. The only illegality in this case is created by the law of nations, and there seems to be no reasons why the principle of those decisions is not applicable to every case where the property insured is justly liable to belligerent

capture at the inception of the voyage." Thus a contract in a neutral country to supply arms to a belligerent would be void.

As to Dr. Phillimore, "Historicus" is equally unjust. That jurist, instead of supporting his view simply by appealing to the principles of "eternal justice," quotes a string of authorities, which, we suspect, constituted the whole learning of "Historicus" when he wrote his first letter. Even now "Historicus" has quoted no passage from Dr. Phillimore in which he has declared the necessity of a nation prohibiting and preventing the sale of contraband of war. And the fact, that the Belgians did not enact any law prohibiting the export of arms, notoriously carried on during the Crimean war, proves distinctly, that although, in the opinion of Lord Clarendon at least, it was a breach of neutrality, the Belgians were not considered bound to do any act to prevent it. It is now, therefore, clearly established that Lord Russell, in refusing to prevent the export of arms to the North, has acted in strict conformity with international law, as expounded by all jurists, not even excepting M. Hautefeuille or Dr. Phillimore. And in conclusion, we think ourselves entitled to say, that if "Historicus" hopes to form sound opinions upon the more abstruse subjects of international law he must devote himself patiently to more severe studies than the sayings and doings of Mr. Samuel Weller, or even the antithetical couplets of Alexander Pope.

WEATHER-WISDOM.

To discuss the private ways of public men is beyond all question ungentlemanly, and contrary to the true principles of journalism. But however wrong it may be, it is quite impossible to help wondering what remark Admiral Fitzroy is in the habit of making when he takes in a lady to dinner. The only avenue to conversation which is broad enough to allow no misconstruction, and common enough to secure general interest, must be inexorably closed to him. In the passage from the drawing-room, and more especially if it involves a descent, something must be said, and nothing but the most trivial topic will answer. It is foolish to make no observation at all, and to approach any subject out of the beaten path not only implies a confession of weakness, but gives some ground for the suspicion that it has been prepared and studied beforehand. As a general rule, the procession to the dining-room occupies itself exclusively with meteorology. The country ball naturally comes in after the first course, and the last new novel appears with effect while the cloth is being removed. Now it may be fairly presumed that no Chancellor of the Exchequer ever yet took his place in the social caravan with a remark on the three per cents., or a doctor with an observation on typhus fever. The clerk of the weather, in like manner, has no doubt his regular office hours, and pays diligent attention to his business. He cannot so well assert the mildness of the weather, or expect a continuance of rain, as the rest of the untutored public. His must be a terrible position at the crisis of which we have spoken. Shut out from the one topic which is the common bond of our humanity, unable to strike that one chord to which every mortal heart is at once responsive, he must tread the appointed journey with mute and agonized perplexity, and must probably feel at the end of it, that very peculiar sensation about the roots of the hair which is indicative of a profound and uncontrollable wish to be buried in the bowels of the earth.

The case, however, will be still worse when a prophecy is at stake, and when the elements seem determined to baffle science. It happens that the weather has set itself of late with an extraordinary obstinacy to do on every single day the very thing which by all the rules of natural philosophy it ought not to have done. Admiral Fitzroy publishes, as is well known, a daily meteorological report in the columns of the *Times*. Some thirty stations send in reports each morning to a central office, which are collected, arranged, and published in a tabular form the next day, with an explanation of the abbreviations which reminds the reader equally of a pictorial spelling-book and the "various readings" in an edition of a classical author. B. stands for barometer, D. for difference (of the moist-bulb thermometer), F. for force, X. for 'xtreme force, of wind, H. for hours, and C. for cloud. We cannot but remark parenthetically, that, to use the Admiral's vocabulary there must be a similar amount of C. over his mind on the subject of orthography, to that which actuated the eminently moral gentleman, who used in our earlier days to set the exquisitely printed copies for lessons in penmanship; who, while advising us to Venerate valuable virtue, and to Withdraw from unwarrantable wickedness, conceived that our sense of Uprightness received no

shock whatever from the mean subterfuge by which they palmed off some maxim about 'Exemplary excellence as a fit and proper type of the letter which should follow next in order. Admiral Fitzroy has also a smaller army, a kind of initial rank and file, b. for blue sky, f. for fog, h. for hail, and so on; and he finishes by a declaration that a calm, since C. is already occupied, is to be represented by a capital Z. So far all is satisfactory; though it must be confessed that it is a little difficult to understand how the force of the wind at Jersey can be at present 9, and yet that the extreme force since the last report cannot be put down as higher than 8. It is, however, with the prophecies which accompany the report that we are particularly concerned, and with the mysterious causes which by an unerring fate render them so invariably and fatally wrong.

Hitherto the winter has rejoiced the hearts of those who hunt, and driven those who skate to desperation. The traditions of rude Boreas are coming to be quite a recollection of the nursery, and there has been such a run on balmy zephyrs that it will be a wonder if any are left for the summer. Something has clearly gone wrong; and if it be scientific to infer from the multitude of sharks on the Irish coast that the gulf stream has been turned on this last month at double power, we can only say that the phenomena are fully adequate to support the theory. The chief satisfaction to be derived from the warm winter is that nobody will ever again venture to augur any decisive result from the multitude of November berries. At all events, no one who is liable to sensations of heat and cold will deny that, as a matter of fact, the wind for the last fortnight has been continuously south and west, and the temperature extraordinarily high. Now it is a remarkable fact that, on almost every occasion during this period on which his prophecies have appeared, Admiral Fitzroy has persisted in endeavouring to persuade his readers that the wind is on the point of coming round to the north, and not improbably with the accompaniment of snow. We have taken the trouble to register his predictions for the first week of this year, and test them day by day with the actual weather; taking for specimens the two districts of Southwest England, which, for brevity, we may call Devon, and Southeast England, which we will shorten into Kent. The Admiral on each morning supplies us with prophecies for that and the following day, and is thus able to correct on the next morning by a second oracle the impressions of twenty-four hours back. Moreover, it will be remarked that he is always careful to allow himself plenty of margin, and as often as not he includes half the compass in his statements. On January 1, the Admiral predicts for Devon W. to N. and N.E., and for Kent N.W. to N.E. and E.; this resulted in a uniform south-west wind over all the South of England. For the 2nd his prediction on the 1st was for Devon N. to E. and S.E., modified next day to S.W. to N.W. and N., a prediction which resulted in a due westerly wind at Plymouth; and for Kent a simple "Easterly," followed next day by W.N.W. to N.N.W. in prophecy, and W.S.W. in fact. For January 3, the pair of prophecies are:—Devon, W.N.W. to N.N.E., and S.W. to N.W. and N., which result in a simple W.; and for Kent, N.N.W. to E.N.E. and S.E., and W.S.W. to N.N.W.—thus embracing nearly three quarters of the compass, but failing to include the reality, S.S.W. The next recorded observation that we have is a S.W. at Plymouth, corresponding to a prediction of W. to N. and N.E., and a S. at London, corresponding to N.W. to N.E. and E. Next day a heavy rotary gale being predicted for all the South of England, we are surprised to find a gentle southerly wind everywhere prevailing; and on the 7th, while Admiral Fitzroy still insists on his gale, to which he fixes the delightful latitude of W. to N. and E., the breeze falls almost to a calm, and the sun beams forth on a genial summer's day.

We are truly sorry for the gallant Admiral. We hope that he will not be discouraged. If he will but continue to prophesy north winds long enough, they are quite sure to come. But it must be very annoying to him to have his heavy rotary gales shirking their work in that unfeeling way. Fortune might as well allow him to hit upon the right thing just once or twice in the fortnight, if it was only for fair play. He surely tries hard enough,—short of predicting all four points of the compass at once. Are the most meteorological admirals in the service to be for ever in the situation of those weathercocks in which a gentleman is represented as discharging his musket from hour to hour in whatever direction the wind at the time is not? What makes the matter worse is, that Admiral Fitzroy has just published a work explaining, with the greatest accuracy, the principles upon which he works. We may, possibly, have to consider his book on another occasion in a literary point of view, and will here only profess ourselves fully satisfied, were it but by way of tendering

what consolation we can, that his system is as exact as can be conceived. Good people have in all ages been upheld, in their worst trials, by a consciousness that they have acted for the best; and when the wind sets itself resolutely to choose whatever particular career he has neglected to pre-occupy, the Admiral will not be without the consolation of knowing that, by the most certain laws of science, it ought to have chosen exactly the opposite. Perhaps even yet, as the wind seems coming eastwards after all, he may live to see, if but for one happy day, a prophecy and a result in accordance. If this should be too bright a hope to be realized, the thought we speak of will be something to restore his feelings, even though it may not be quite sufficient to support him under conversation about changes of climate.

A remarkable fact is stated by those who have visited the shores of Hawaii, and made sufficient acquaintance with the natives to understand their language. The inhabitants of that forlorn island, it is said, have no word in their vocabulary to express the weather. Somehow, in rude, barbarous fashion, they mix with each other, and enjoy such intercourse as they may; but with the amenities of social life, the delicate pulsations of hearts conversationally united by climate, the whispered suggestion, the soft reply imagined before it is spoken, all the engines of social intercourse which break the ice of first acquaintance, and melt frozen tongues to talk, these victims of fortune and of dialect have nothing to do. It may be that they are happy under it; habit is a second nature; the Greenlanders almost live upon fish, to which no civilized person would think of being helped twice in England. If it be so, what a place for Admiral Fitzroy! Let him take a bold step, and relieve himself for ever from the perplexity of his social position. Let him establish a weather oracle for the next few years, by sending word to the *Times* that the wind is to be north all over England till further notice; let him establish a heavy rotary gale for the first Tuesday in every month, and double the allowance on leap-year; let him predict rain on the days sacred to Volunteers, and leave word that the drum is to be hoisted at Shields whenever three colliers have been shipwrecked; and then let him depart to finish his days in that remote clime where a weary soul may pack up its barometers, and be at rest. So—if we may again use the magic initials—the f. of bewilderment will clear from his mind, in his relations to the world around him, he will h. a D. not to be described, and with a sense of relief never apprehended before, he will devote his happy H. to a better and abiding Z.

DEMOCRACY BREAKING DOWN.

FOR some years past a fashion has prevailed of describing every misfortune which happens to an unpopular person or institution as its "breaking down." When the supplies could not be got up to the army before Sebastopol, eminent authorities were seriously afraid that constitutional government in general, and at the very least the British aristocracy were breaking down. When a sharp frost threw a considerable number of the poor of London into the streets, and revealed the fact that, when wages were high, they never thought it desirable to save against hard times, there was a very general cry that the poor-law had broken down, and for some months past there has been in many quarters a constant repetition, sometimes with open exultation, sometimes with a strange affection of sympathy and regret of the phrase prefixed to this article. Whatever else may be said or thought of the American civil war, this point appears to be taken for granted. The Federals or the Confederates may be right, the effect of the war may be this or that in respect of slavery, but one thing—thinks a considerable section of the British public—is quite clear,—Democracy has broken down; and the conclusion is generally received with a sort of chuckling hallelujah, which looks as if Democracy were a dreaded antagonist, constantly creeping on us unawares, and now, by a fortunate combination of circumstances, forced to give up his vile attempts and retreat from his expected prey.

Such phrases, repeated in various forms in newspapers and on platforms, make up something which is as near an approach to an opinion on public affairs as a considerable section of the community has the means or the inclination of possessing. It is, therefore, matter of some importance that they should be examined and criticised, in order that some sort of estimate may be formed of the degree of truth (if any) which they contain. What, then, is the meaning of the assertion, that the civil war, which has now raged for nearly two years in America, shows that Democracy has broken down? If it means anything, it must mean that the civil war shows that Democracy is a bad form of government, and one which, by reason of its inherent defects, has produced the calamities under which America labours. If it means only that the United States,

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being a democratic country, are at present undergoing calamities it is a mere truism, about as ill expressed as if a man, seeing a horse come down on his knees, should say that the principle of having four legs had broken down.

How far, then, is it true that the present war has discredited Democracy? In the first place, the object for which the two parties are fighting has absolutely no relation to forms of government. Many contrasts exist between North and South, but the form of their governments and the principles on which they are conducted are the same. There are great differences between Virginia and New York, but they are both democratic states, and if peace were to be made to-morrow, no question would have to be settled on that subject. The Southerners never complained that the Northerners' institutions were too popular. The Northerners have never shown the faintest wish to interfere with the political organization of the South. The victory of either party would leave untouched all the questions which divide aristocrats and democrats, it would not affect government by elective assemblies, vote by ballot, universal suffrage, or the election of the judicial and executive officers. Whatever the merits of the contest may be—and our opinion on that subject has been too frequently expressed to need re-statement here—the war is beyond all doubt a war for the maintenance of the Union on the one side, for the acquisition of independence on the other; and it is equally clear that it arose out of a deep-seated and widely-extended difference of views founded on the existence of slavery in the Southern states. It would be difficult in a few words to convey a clearer notion of the dispute than by saying that the South resolved to break up the Union because they feared that if it were maintained slavery could not be extended, and that the North want to maintain it, not upon any definite grounds as to slavery, but on account of their natural pride in its magnificence, and of a keen sense of its many advantages. How is this state of things, lamentable as it is, specially discreditable to Democracy?

Democracy had nothing whatever to do with the existence of slavery. That institution has existed both in ancient and modern times, and does still exist, under governments of every form. It prevailed in our own possessions till within living memory. It prevails to this day in those of Spain, and it was introduced into the North American States long before they were democracies. Democracy has still less to do with the quarrel between North and South, unless, indeed, it is to be blamed for having made possible the Federation which is now so terribly severed. If the separate States had been independent kingdoms it is highly probable that the present civil war would not have happened, but neither would the eighty years of unexampled peace and prosperity which preceded it have blessed one of the finest regions in the world. If each State had been entirely independent of the rest, there might and probably would have been a repetition of the darkest side of European history. There would have been wars, standing armies, internal lines of custom-houses, and a thousand obstructions of every sort, to the reduction of that great continent to a state fit for human habitation. That which has really broken down is not Democracy, but a scheme devised with wonderful care and skill for producing extraordinary benefits to a large section of mankind, which, by the aid of Democracy, met with unexpected success for nearly three generations, and did actually produce results of unexampled magnitude.

Nothing sets in a more striking light the flimsy and careless way in which people are content to think and speak, than the ignorant habit which prevails of calling the United States, collectively, a Democracy. The Federal constitution is or was a most elaborate and wonderfully ingenious contrivance for conducting, under one head, the common affairs of a number of independent States—States whose sovereign character was expressly recognized and reserved by the constitution, except in so far as it was limited by the express words of that instrument. No doubt the officers to whom the management of these affairs was intrusted were chosen by popular election, but once chosen, they had a degree of authority which imposed severe restraints on the direct exercise of the popular will. A President of the United States has, as long as his term of office lasts, more authority and less responsibility than an English King or Prime Minister, as Mr. Lincoln's proceedings throughout this war sufficiently prove. The constitution of the Senate is anything but democratic. Rhode Island or Delaware have as much power in it as New York and Pennsylvania. The Supreme Court, again, is anything but a democratic institution. Its judges are appointed for life, and its decisions are superior in authority to the legislative powers of Congress itself, and also to those of every State legislature. It is this part of the institutions of North America which has broken down, in the proper sense of the word,

that is, which has proved inadequate to the functions allotted to it, and this is precisely the least democratic part of the whole. Why has it broken down?—from a growing dissimilarity between the two parts of the nation, dissimilarity in habits, tastes, and feelings, which has always existed to some extent, but has grown to its present height and produced its present consequences under political institutions not merely similar but substantially the same. To describe this as the breaking down of Democracy, is about as reasonable as to describe the Indian mutiny as the breaking down of constitutional monarchy.

It may possibly be said that though the quarrel between the North and the South cannot possibly be charged to the account of Democracy, it may fairly be debited with the scandals which the war has brought to light—the extravagance, the corruption, the brag, the insults to foreign powers, and especially to this country,—in a word, with the bad manners of a considerable proportion of the Northerners. The existence of many of these scandals must be admitted; and enthusiastic advocates of all things American are somewhat too apt to undervalue their importance. Both to men and to nations good manners are what modesty is to chastity, or enamel to the teeth; and there is a real connection between the coarseness of feeling which finds vent in noisy swagger, and the bluntness of moral perception which sees no reason to blame a man who makes a fortune by applying his official knowledge to the purposes of private speculation. Great allowances and deductions are, however, to be made in the popular estimate in this matter. Where an enormous army has to be extemporized at any cost, there will, of course, be enormous jobbing, especially in a nation which carries the trading spirit to the very highest pitch. It is also true that the great bulk of English critics take their views of the Americans from prejudiced sources, from writers who appear to think it their duty to cull for the edification of Englishmen all the flowers contributed to the *New York Herald*, and other journals of the same stamp, by renegade Irishmen who unite the faults of the dunghill on which they grew, with those of the cesspool into which they have drained. Still, with all allowances, it is not to be denied that there is an ugly side to the American character, or that recent events have made it unusually prominent. Is this, however, the fault of Democracy? People of all nations can make themselves wonderfully unpleasant, when they give their minds to it, whether they are democrats or not. A thoroughly vulgar Englishman is as offensive an animal as the human mind can well imagine, and our national ways of thinking and expressing our thoughts are by no means calculated to endear us to the rest of the world, nor do they do so in point of fact. A certain Mr. Rufus Choate, well known as a leading Boston lawyer, is recorded to have described one of his colleagues as looking "as if he doubted whether he made God, or God made him;" probably the imperturbable self-complacency of Englishmen in general, and that serene conviction of ineffable superiority to the rest of the human race which shines from every English face and through the columns of every English newspaper, might suggest to most foreigners a similar observation on John Bull. This immovable self-confidence, or, as others would call it, pride, is so far from breaking down our institutions, that it is one of their firmest props, though it may, no doubt, be disagreeable enough to other people. Hence the admission that American conceit and bluster is a very bad and an exceedingly unpleasant thing, does not involve the consequence that Democracy has broken down. It does not even imply that Democracy is the cause of what is complained of. The truth is, that most of the disagreeable features of the American character, whether displayed in their writings or in the management of their affairs, are not the effect of Democracy, but of the marvellous prosperity of the country. The political constitution of the States, whilst they were still colonies and during the early part of their independence, was democratic enough, but their behaviour was then inoffensive. For the last forty-five years they have enjoyed a sort of carnival. No debt, no taxes, absolutely unbounded room for every kind of enterprise, an unparalleled demand for every sort of labour, and a lavish supply of it from the uncomfortable and dissatisfied part of the whole population of Europe. This is enough to explain everything that can fairly be alleged against them, and much more than has been alleged with any show of justice. No doubt there is something in common between this state of things and democracy. The universal race and passion for wealth which the circumstances of the country produce, has a tendency to produce democracy, and has also a tendency to produce coarseness and fustian; but the one effect does not of necessity produce the other. In the quieter parts of the Union, and amongst the more settled classes of its population, the two things do not go together; and in many other parts of the world—

Switzerland, for instance—and Norway (which has a very democratic constitution), there is no connection between democracy and bad manners.

To talk of the breaking down of Democracy, not only shows ignorance of the facts of the particular transaction which suggests the phrase, but also of other matters of much wider importance. Democracy, in the sense of the process of equalizing the conditions of the different classes of mankind, is a process which no living man will see broken down. It is going on all over the world in one form or another, but in America it is almost as likely that the Ohio and Mississippi will break down as that Democracy will do so. Taking the gloomiest possible view of Northern affairs, there is absolutely no reason whatever to expect it. Suppose that not only the South should establish their independence, but that their example should be followed by the West,—suppose even that the process should not stop there, and that the States should split into four or even five distinct nations, can any one doubt that each of these would continue to be a Democracy in every sense of the word? As far as it is possible to speculate on such a contingency, it is probable that such a process would rather strengthen than weaken their democratic principles. Democracy has hitherto succeeded better in small states than in large ones, and, for an obvious reason, the members of the governing body in a small state are more manageable than where a large one is to be represented, and the separation between them and their electors is less marked.

On the whole, the rejoicings over the downfall of democracy are very foolish. They may, perhaps, have one good purpose. They are, by reason of their folly, exactly suited to those who used to be deluded by wholesale praises of American institutions, and supply just the sort of answer which the glorifications of Democracy, drawn from the prosperity of the United States, deserved. People who were capable of being deluded by the one argument may be capable of being deluded in the opposite direction by the other. The prosperity of America was little more creditable to their institutions than the quiet behaviour of a schoolboy whilst he is gorging himself with plum-cake is creditable to his schoolmaster. Whilst absorbed in that occupation he cannot, of course, be fighting with the other boys or breaking the school-room windows, and in the same way a nation, with unlimited wealth and no burdens, could not help being prosperous. The test of institutions is not to be found in the prosperity or adversity of the nation in which they are established, but in their specific results, and in every case it is matter of the utmost difficulty to say what these results are. The results of the democratic constitution of the States in the present war are extremely complicated. They have produced wonderful unanimity on both sides. They have produced bad discipline on the Northern side. They have been accompanied by extraordinary vigour, but how far they have caused it is another question. To count up their good and bad effects would require a treatise founded on knowledge which few people possess, but to try to dispose of the subject in a single contemptuous or exultant phrase, is to show utter ignorance of its nature.

THE ALABAMA.

As it is not the practice of the Government to publish State papers during the Parliamentary recess, the only authentic information we have received as to the correspondence which has passed between the English and American Governments in the *Alabama* affair comes through American sources. The details, however, with which we have been favoured are still incomplete, and do not let us know what course of conduct the Government has resolved to adopt with reference to that vessel. According to Mr. Adams, the American Minister, [an order has been sent that, if the *Alabama* appears at Nassau, she is to be detained; and a Liverpool paper tells us that orders have been sent out not to admit that vessel within any of our colonial ports.

The questions of law which arise out of the case are neither easy to be solved nor few in number. The difficulties in dealing with it are increased by its novelty. Several cases are to be found in the reports of the Supreme Court of the United States arising out of breaches of their Foreign Enlistment Act, which is almost identical with our own Act. None of them are identical with that of the *Alabama*, but the light which they throw upon its solution is of some material importance. The correspondence which took place in 1793 between the Government of the United States, being neutral, and the belligerent Governments of France and England, which is to be found in the American State papers, is, perhaps, quite as material, at the present moment, as the cases in the reports. It gives the whole history of the rules of neutrality, and the grounds upon which a distinction was then drawn between the

sale of arms and the equipping of armed vessels in neutral ports. Moreover, it will be seen that the American Minister in demanding the interference of the British Minister to stop the *Alabama*, followed the example of this country; and that in acquiescing in the demand, Lord Russell has acted in strict conformity with every precedent.

"We have not hesitated to express our highest disapprobation," says the Secretary of State, Mr. Jefferson, on the 15th May, 1793, in a letter to the French Minister, M. Ternaut, "of the conduct of any of our citizens who may personally engage in committing hostilities at sea against any of the nations parties to the present war; to declare that if the case has happened, or that it should happen, we will exert all the means with which the laws and constitution have armed us, to discover such offenders, and bring them to condign justice. And that the like conduct shall be observed, should the like enterprises be attempted against your nation, I am authorized to give you the most unreserved assurances. Our friendship for all the parties at war; our desire to pursue ourselves the path of peace, as the only one leading surely to prosperity, and our wish to preserve the morals of our citizens from being vitiated by courses of lawless plunder and murder, are a security that our proceedings in this respect will be with good faith, fervour, and vigilance."

"The President," he says, in a letter of the 5th June, 1793, to M. Genet, the newly-appointed Minister of the French Convention, a gentleman of very ardent temperament, and wild Republican fervour, "is of opinion, after mature consultation and deliberation, that the arming and equipping vessels in the ports of the United States to cruise against nations with whom we are at peace, is incompatible with the territorial sovereignty of the United States; that it makes them instrumental to the annoyance of those nations, and thereby tends to compromise their peace, and that he thinks it necessary as an evidence of good faith to them, as well as a proper reparation to the sovereignty of the country, that the armed vessels of this description should depart from the ports of the United States." Citizen Genet was, however, too vigorous a Republican to be soon silenced. His letters are the strangest diplomatic documents that, perhaps, ever were penned. "Discussions are short," he says in one of them, "when matters are taken upon their true principles." Notwithstanding this promising exordium, a reference to the correspondence will show that his discussions were neither few in number, nor short in length. Washington, the President, was for a long time patient and forbearing, but the conduct of M. Genet became so outrageous that his recall was at last demanded. Washington cannot be too highly commended for his conduct at this critical period. The popularity of France in the United States was at that period almost at fever-height. The irritation against England had not had time to subside, but no popular pressure could shake the firmness and dignity of the President. Strong in his convictions as to the duty of the United States as a neutral nation, Washington fearlessly braved the unpopularity which a course of perfect neutrality excited against his Government. An American citizen of the name of Henfield, who had engaged on board of one of the privateers, was indicted at common law for the offence. The jury, however, declined to convict, and the acquittal was celebrated with extravagant marks of joy and enthusiasm.

The conduct of the American Executive of those days has met with a splendid panegyric from one of England's greatest orators:—

"If I wished," said Mr. Canning, in the debate on the repeal of the Foreign Enlistment Bill, April 16th, 1823, "for a guide in a system of neutrality, I should take that laid down by America, in the days of the presidency of Washington, and the secretaryship of Jefferson. In 1793 complaints were made to the American Government that French ships were allowed to fit out and arm in American ports for the purpose of attacking British vessels in direct opposition to the laws of neutrality. Immediately upon this representation the American Government held that such a fitting out was contrary to the laws of neutrality, and orders were issued prohibiting the arming of any French vessels in American ports. At New York a French vessel, fitting out, was seized, delivered over to the tribunals, and condemned. Upon that occasion the American Government held that such fitting out of French ships in American ports, for the purpose of cruising against English vessels, was incompatible with the sovereignty of the United States, and tended to interrupt the peace and good understanding which subsisted between that country and Great Britain. Here, sir, I contend, is the principle of neutrality upon which we ought to act."

The conduct of the American Government of those days should be a lesson to us at the present time. Strong Southern sympathies are, it is well known, rife among us, and at no place more than Liverpool. It would be perhaps too much to expect that a people of active intellect and most energetic will should refrain from cherishing sympathies for one side or the other, when a civil war of gigantic proportions is raging among a people so closely

connected by blood and interests with themselves. The calm, judicial faculty is not a gift which every man has received from nature. Sympathies, however, should be kept within due bounds and should not be permitted to run into excess. The neutrality we profess on our lips should be a real one and not a mere empty name.

The principles laid down by the Government of Washington are in a legal point of view very important, for they show that no doubts whatsoever existed in the minds of the eminent men of his Cabinet, but that the prevention of the fitting out of vessels in their ports to prey on the commerce of nations with whom they were at peace was an international obligation which they were bound to enforce. The Foreign Enlistment Act, it must be remembered, was not enacted till the following year (1794), and it did no more according to the express admission of Kent, than give a positive municipal sanction to obligations which had been already admitted to be international. These considerations throw much light on the construction of our own Foreign Enlistment Act. The Act, being founded on an international obligation, recognized and admitted by the common law, as was asserted by Lord Lyndhurst and others who took part in the debate in 1819, and being intended to supply the infirmity of legal process by attaching the more perfect and complete sanction of municipal law to that higher obligation must be interpreted largely, so as to prevent the evil which it was intended to meet. Arguments have been urged to show that the case of the *Alabama* is not within the Act. Fortunately, any discussion on this question is no longer necessary, for the Law Officers have advised that the *Alabama* had violated the Foreign Enlistment Act and ought to be detained.

From a minute description of the vessel, given in an affidavit of one of the sailors hired for the *Alabama*, and from a description of her given by her late boatswain, it appears that this ship, then called 290, was built by Mr. Laird, under a contract with Mr. Butcher, who is alleged to be agent of the Confederate Government at Liverpool. She is described by the same person as "a large wooden screw-boat," or "a corvette." So unlike is she to a merchant-ship, that the Portuguese visitors who came on board at the Azores could not be persuaded to call her anything but an "English frigate." When she left the Mersey she had on board ninety-three men belonging to the Naval Reserve, all trained gunners and all men-of-war's men. Earl Russell, on receiving the affidavit from Mr. Adams on the 24th of July, laid it before the Law Officers for their opinion; they advised the detention of the vessel, but before the order reached Liverpool the *Alabama* left on the 29th. There can be no question that the Government was quite right; the only misfortune is that they did not act with more promptitude.

Whether the Federal Government have good grounds of complaint against us for delay may be doubtful under the circumstances. But there can be no doubt that just as the American Government in 1793 considered their sovereignty to have been violated by the conduct of the French, in using their ports for the equipment of ships of war, so the British Government ought to feel equally offended by the conduct of the Confederate Government in the affair of the *Alabama*. It is now clear that ship was not built as a commercial speculation, or for any private individual. Whether before she left Liverpool there was any evidence that she was really built for the Confederate Government, we know not. But that such was the fact is now beyond question. When Captain Semmes came on board at the Azores, where the *Alabama*, or, as she was then called, 290, was armed, he read out his commission, which purported to be issued by Jefferson Davis at Richmond, and directed the captain to "assume the command of the Confederate sloop-of-war *Alabama*, hitherto called 290, and to sink, burn, and destroy everything that flew the ensign of the so-called United States of America." It would have been proper respect to the authority of this country had that been consulted before these armaments were undertaken," said Jefferson to the French Minister in 1793, under similar circumstances. It is to be hoped that the conduct of Mr. Jefferson Davis will be rebuked in a manner not less dignified.

Attempts have been made to justify the case of the *Alabama* upon a dictum of Judge Story in delivering judgment in the Supreme Court in the *Santissima Trinidad* (5 Wheat. 353), when he says, "There is nothing in our laws, or in the laws of nations, that forbids our citizens from sending armed vessels, as well as munitions of war, to foreign ports for sale. It is a commercial adventure which no nation is bound to prohibit, and which only exposes the person engaged in it to the penalty of confiscation. Supposing, therefore, the voyage to have been for commercial purposes, and the sale at Buenos Ayres to have been a *bond fide* sale, there is no

pretence to say that the original outfit in the voyage was illegal, or that a capture made after the sale was, for that reason alone, invalid." These remarks were, as we have already mentioned, a mere dictum, and did not constitute the ground on which the judgment was given. The case, moreover, was very different in its circumstances from that of the *Alabama*. The *Santissima Trinidad* was originally built and equipped as a privateer during the war with Great Britain in 1813, and was rigged as a schooner. After the peace in 1814, she was rigged as a brig, and sold by her original owners. In January, 1816, she was loaded with a cargo of ammunition of war by her new owners, and, being armed with twelve guns, part of her original armament, she was despatched on a voyage ostensibly to the northwest coast, but in reality to Buenos Ayres. By the written instructions given to the supercargo in this voyage, he was authorized to sell her to the Government of Buenos Ayres if he could obtain a suitable price. At that time it should be remembered the Spanish colonies were in revolt against Spain, and enjoyed belligerent rights. She arrived at Buenos Ayres, having exercised no act of hostility, and having sailed under the protection of the American flag during the voyage. She was then sold to her captain and two other persons, and soon afterwards assumed the flag and character of a public ship, and was understood by the crew to have been sold to the Government of Buenos Ayres. The dictum of Judge Story had reference to this state of circumstances.

The vessel having returned to Baltimore flying the Buenos Ayres flag, caused her armament to be there increased. This was held to be an illegal outfit, and certain goods which had been captured by her on the high seas were ordered to be returned.

"It has been long the doctrine of this Court," says Judge Story, "that such illegal augmentation is a violation of the law of nations as well as of our municipal law; and as a violation of neutrality it infects the captures subsequently made with the character of *torts*, and requires a restitution to the parties who have been injured by the misconduct." The case of the *Gran Para* (7 Wheat. 471) is much more like the case of the *Alabama* than the one just cited. The arms and armaments in this case were cleared out as cargo from a port of the United States, and the men were enlisted as for a common mercantile voyage; the vessel was constructed for war, and not for commerce; she was not commissioned to act as a privateer, and did not attempt to act as such until she reached the La Plata, where a commission was obtained and the men were re-enlisted. "If this," said that illustrious judge, Chief Justice Marshall, in delivering the judgment of the Supreme Court, "were admitted, the laws for the preservation of our neutrality would be completely eluded, so far as their enforcement depends on the restitution of prizes made in violation of them. Vessels completely fitted out in our ports for military operations, need only sail to a belligerent port, and then, after obtaining a commission, go through the ceremony of discharging and re-enlisting their crew, to become perfectly legitimate cruisers, purified from every taint contracted at the place where all their real force and capacity for annoyance was acquired. This would indeed be a fraudulent neutrality, disgraceful to our Government, and of which no nation would be the dupe." These observations of Chief Justice Marshall explain the real meaning of the dictum pronounced by Story. The dictum form from the context of the judgment, and the circumstance which suggested it, is easily misunderstood. These cases, instead of affording any justification for the case of the *Alabama*, show that the Government has acted right in ordering the detention of that vessel.

There can be little doubt that the commission under which the *Alabama* is at present sailing is valid, even against Great Britain. "The commission of a public ship," said Judge Story, in the *Santissima Trinidad*, "signed by the proper authorities of the nation to which she belongs, is conclusive proof of her national character. The courts of a foreign country will not inquire into the means by which the title to the property has been acquired." The original illegality of her conduct in violating the Foreign Enlistment Act, is not a sufficient ground for us to dispute her commission. She is now a vessel of war of a belligerent government, and cannot be either seized by us on the high seas, or forcibly detained in our harbours. To do either of these acts would be practically equivalent to a declaration of war against the Confederates. The order of Earl Russell to detain her at Nassau must have been made under the impression that she would have reached that port uncommissioned.

We cannot, consistently with our desire to remain neutral do anything further than order the vessel away from our ports, should she attempt to enter them. We are glad to hear, though the source from which the information comes is not conclusive,

that the Government has made this order. Had the Confederate States been a recognized nationality, with a resident Minister in London, it would have been imperative on us to have followed the course which the Cabinet of Washington set in the case of M. Genet by demanding his recall. As it is, we do not think that we can refrain from conveying to the governing body of these States, a sense of our high displeasure at the manner in which they have infringed our national sovereignty to the prejudice of the other belligerent and in violation of the principles laid down and established by Jefferson and Washington, both of them Southern Statesmen. Our dignified position in the scale of nations, the magnitude of our empire and of the interests at stake, demand that we should not submit to conduct which is subversive of our own laws, as well as of all the principles of international law and morality.

AN OLD SENSATION DRAMA.

It is very hard to have to speak ill of one's grandfathers—to question their taste and to laugh at the idols which they tolerated and sometimes worshipped. Our grandfathers, however, provoke this want of respect by the tone which they or their admirers adopt when speaking about most of these idols. They constantly lecture us about the decay of our arts, and particularly about the decay of our national drama. They tell us in a manner which is sometimes very irritating that we have had no national drama for the last fifty years. They trace this falling off to several causes—but chiefly to the flippancy and inferiority of the present age, and the partial destruction of an old theatrical monopoly. When the "patent" theatres were in existence; when all their actors were "His Majesty's Servants," and all other actors were rogues and vagabonds; when it was illegal to "speak prose," and to perform anything much higher than pantomime, except on the privileged stage, the drama was supposed to be in a perfect and flourishing condition. Though the same complaints were occasionally heard then which are heard now about the lamentable dearth of originality in authors, these are now conveniently forgotten by the defenders of the past, and we hear of nothing but dramatic beauty, grace, force, harmony, judgment, and artistic feeling. The two great theatres, Drury Lane and Covent Garden, hedged in with special privileges which have happily disappeared, though they have left us the sediment of a Lord Chamberlain,—are referred to as schools where great actors were kept together for years, playing up to and round each other's talents and peculiarities in a way which has been killed by partial free-trade and the starring system.

The fact that all this has been attained within the last ten years by two or three intelligent managers, working with an intellectual, as well as a trading purpose, is also conveniently forgotten; and while a few of our actors are grudgingly admitted to have a few merits, our drama is denounced as hopelessly decayed and degraded. While admitting that the two leading London theatres had very strong companies fifty or sixty years ago, we may be pardoned for questioning whether these companies were always put to the best use; whether public taste was much purer then than it is now; and whether managers then were gifted with much greater judgment than their present successors. Legitimate and poetical dramas—the plays of Shakspeare—may have been more frequently in the bills, with strong casts, than they are at present; but they were mixed with a vast number of illegitimate dramas and electro-plated tragedies. Weak or stilted language, feeble or extravagant incidents, improbable plots, and Minerva Press sentiment, were the characteristics of most of these latter pieces, and yet they were popular. They were accepted by the best managers, distributed amongst the best actors, and presented to the best audiences. If we see one of them now performed in the country, or at some outlying London theatre, chiefly because it is claimed by no Dramatic Authors' Society, and is chargeable with no author's fees, we laugh at the writing and construction, pity the actors, and despise the taste and judgment of our grandfathers.

One of the worst of these pieces—though not, by any means, the worst, is the "Castle Spectre"—a romantic drama, by the celebrated Monk Lewis, first performed at Drury Lane, December 14th, 1797. It was originally written in five acts, but has since been very judiciously reduced to three, and in the latter form it has been lately revived for a few nights at Sadler's Wells. The original cast comprised Mr. Kemble, Mr. Bannister, Mr. Barrymore, Mr. Palmer, and Mr. Dowton, with Mrs. Jordan as the principal female character. Mr. Kemble's part has suffered most by compression, according to an actor's way of looking at it.

The "Castle Spectre" has a flavour of that German romance which Monk Lewis imported into some of his other literary productions. He loved a ghost, and he loved a lord, and we have,

therefore, several lords and a ghost in this tragic drama. The bad lord is feudal to a fault, surrounded by conventional dependents, amongst whom are some unconventional Africans. Ethiopian serenaders and Christy minstrels had not vulgarized the black man, in 1797, and though the piece was received with some derision, the "black slaves of Osmond" were probably not the cause of this opposition. Hassan, a dignified slave—originally played by Mr. Dowton—is quite the poetical character of the piece, and it would be unpardonable not to give a taste of his quality:—

"HASSAN. Saib, I too have loved! I have known how painful it was to leave her on whom my heart hung; how incapable was all else to supply her loss! I have exchanged want for plenty, fatigue for rest, a wretched hut for a splendid palace. But am I happier? Oh no! Still do I regret my native land, and the partners of my poverty. Then toil was sweet to me, for I laboured for Samba! then repose ever blessed my bed of leaves, for there by my side lay Samba sleeping.

"SAIB. This from you, Hassan?—Did love ever find a place in your flinty bosom?

"HASSAN. Did it? Oh, Saib! my heart once was gentle, once was good! But sorrows have broken it, insults have made it hard! I good have been dragged from my native land, from a wife who was everything to me, to whom I was everything! Twenty years have elapsed since these Christians tore me away; they trampled upon my heart, mocked my despair, and, when in frantic terms I raved of Samba, laughed and wondered how a negro's soul could feel! In that moment, when the last point of Africa faded from my view, when as I stood on the vessel's deck, I felt that all I loved was to me lost for ever, in that bitter moment did I banish humanity from my breast. I tore from my arm the bracelet of Samba's hair, I gave to the sea the precious token, and while the high waves swift bore it from me, vowed, aloud, endless hatred to mankind. I have kept my oath, I will keep it!"

The story of the "Castle Spectre" is eminently sensational: it turns upon wholesale murder, and is soon told. Earl Osmond—the villain of the piece—after distinguishing himself in certain Scottish wars of an unknown period, has caused his elder brother, and his brother's wife and child to be murdered; and has usurped Conway Castle, with all the property belonging to it. By one of those interpositions peculiar to dramas, the brother and child were saved—the lady only having fallen a victim to provide a good ghost for the story. The brother, loaded with chains, and fed upon bread and water, has been immured for sixteen years in one of Earl Osmond's dungeons, without the earl knowing it; the jailer being a dissatisfied dependant, who is a strange compound of greediness, cruelty, remorse, and pity. The child—a little girl—has grown up into the beautiful Angela, a supposed cottage's daughter, outside the castle gates, and has excited the worthy love of Percy, Earl of Northumberland, and the unworthy love of the villain, Earl Osmond. Falling into the power of the villain, this young lady becomes the mainspring of the drama—one party in Conway Castle struggling to keep her—the other party, outside the castle, struggling to rescue her. The underplot is filled up with three good, strong, serviceable stage characters,—a fat monk, who loves flagons of wine and venison pasties; a jester, who is wise and impudent; and an old housekeeper, who is timid and credulous.

The unity of place is strictly observed in this drama, as the action lies entirely within Conway Castle. With the exception of the first scene, which is merely introductory, the scenes seem to present pictures of a succession of dungeons. There are the castle hall, the armoury, the castle-hall again, a chamber, the castle-hall again, the cedar-room, the castle-hall once more, the cedar-room again, a vaulted chamber—which must be an imaginary Conway tubular passage of the middle ages—and a gloomy subterraneous dungeon. One sensation scene, which is badly put upon the stage, and where the most extraordinary gymnastic opportunities are thrown away, occurs where the captive Earl Percy, while his two black jailers are playing at dice, leaps out of a turret window into a sheet spread by his faithful followers below. The Sadler's Wells management, following the stage directions mechanically, have merely filled the stage with an ordinary dismal chamber, leaving the earl to leap out of a window at one of the upper wings, like a clown in a pantomime. Mr. Boucicault, with the same materials, would have divided the stage with a double built-up scene, showing the interior of the earl's dungeon on one side, and a seemingly unfathomable ravine on the other. The leap from the window, as well as the preparations for the leap, would have been seen by all, except those visitors in the side-boxes who pay double prices to witness only half the show. Mr. Kemble was a very good actor, like most members of his family, but he was evidently not a good arranger of "business" for sensation dramas.

We are sorry to see Earl Percy—the only leading virtuous person in the piece, with the exception of the heroine—continually putting himself in situations where the villains seem to have the best of him in argument. When Percy is taken prisoner after having crept into Conway Castle in disguise to rescue Angela, he addresses Earl Osmond rather indignantly:—

PERCY. Stay, sir, and hear me! By what authority presume you to call me captive? Have you forgotten that you speak to Northumberland's earl?

OSMOND. Well may I forget him, who could so far forget himself. Was it worthy of Northumberland's earl to steal disguised into my castle, and plot with my servant to rob me of my most precious treasure?

PERCY. Mine was that treasure; you deprived me of it basely, and I was justified in striving to regain my own.

OSMOND. Earl, nothing can justify unworthy means. If you were wronged, why sought you not your right with your sword's point? I then should have esteemed you a noble foe, and as such would have treated you: but you have stooped to paltry artifice, and attacked me like some midnight ruffian, privately and in disguise. By this I am authorized to forget your station, and make your penance as degrading as your offence was base.

Not improved by this warning, Percy attempts to tamper with his two black gaolers, gives them a purse of gold, and receives another reproof:—

PERCY. Hero it is, and now unlock the door.

MULEY (*chinking the purse*). Here it is! And now I'm obliged to you. As for your promises, my lord, pray don't trouble yourself to remember them, as I shan't trouble myself to remember mine.

PERCY (*starting*). Ha! what mean you?

SAIB (*firmly*). Earl, that we are faithful!

PERCY. What! will you not keep your word?

MULEY. In good troth, no; we mean to keep nothing—except the purse.

PERCY. Confusion! To be made the jest of such rascals!

SAIB. Earl Percy, we are none, but we should have been, could your gold have bribed us to betray our master. We have but done our duty—you have but gained your just reward; for they who seek to deceive others should ever be deceived themselves.

The ghost of Evelina (the name has a fine full Minerva press flavour), appears only twice, and then in a costume of the true bleeding nun order. Her appearance, and the manner of her exit and entrance, can best be told, perhaps, by quoting the stage directions:—

(*A plaintive voice sings within, accompanied by a guitar.*)

"Lullaby!—Lullaby!—Hush thee, my dear,
Thy father is coming, and soon will be here!"

ANGELA. Heavens! The very words which Alice—The door too! It moves! It opens! Guard me, good angels!

(The folding-doors unclose, and the oratory is seen illuminated. In its centre stands a tall female figure, her white and flowing garments spotted with blood; her veil is thrown back, and discovers a pale and melancholy countenance: her eyes are lifted upwards, her arms extended towards heaven, and a large wound appears upon her bosom. Angelina sinks upon her knees, n. c., with her eyes riveted upon the figure, which for some moments remains motionless. At length the spectre advances slowly to a soft and plaintive strain; she stops opposite to Reginald's picture, and gazes upon it in silence. She then turns, approaches Angelina, and invokes a blessing upon her, points to the picture, and retires to the oratory. The music ceases. Angelina rises with a wild look, and follows the vision, extending her arms towards it. The spectre waves her hand, as bidding her farewell. Instantly the organ's swell is heard; a full chorus of female voices chant "Jubilate!" A blaze of light flashes through the oratory, and Angelina falls motionless on the floor.)

The final scene of the drama is worked up by bringing all the characters together in a gloomy dungeon. This cell is not like the humanitarian places of confinement provided by our modern prison authorities. It is feudal, and very—oh, so very gloomy! Here lies the prisoner of sixteen years—the supposed dead father of Angelina. He is very like the half-starved father in Schiller's "Robbers," though he spares us the agony of dying hard in a bedgown. He rolls in the straw, clanking his chains, and indulges in the following lamentations:—

REGIN.—My child! my Evelina! Oh, fly me not, lovely forms! They are gone, and once more I live to misery. Thou wert kind to me, sleep! Even now methought I sat in my castle-hall: a maid, lovely as the queen of fairies, hung on my knees, and hailed me by that sweet name, "Father!" Yes, I was happy,—yet, frown not on me, therefore, Darkness! I am thine again, my gloomy bride! Be not incensed, Despair, that I left thee for a moment; I have passed with thee sixteen years! Ah, how many have I still to pass? Yet, fly not my bosom quite, sweet Hope; still speak to me of liberty, of light! Whisper, that once more I shall see the morn break, that again shall my fevered lips drink the pure gale of evening! Heaven, thou knowest that I have borne my sufferings meekly: I have wept for myself, but never cursed my foes; I have sorrowed for thy anger, but never murmured at thy will. Patient have I been—oh, then, reward me—let me once again press my daughter in my arms; let me for one instant feel again that I clasp to my heart a being who loves me. Speed thou to heaven, prayer of a captive!

(He sinks upon a stone, with his hands clasped, and his eyes bent steadfastly upon the flame of the lamp.)

In this dismal dungeon, Angela, flying through subterranean passages, with a friendly monk who favours her escape, comes suddenly upon her father; here Earl Osmond, seeking his brother to murder him or see him properly murdered this time, comes suddenly upon Angela, and here Earl Percy with his followers, having broken into the castle, arrives in time to see Osmond stabbed by Angela under the approving eye of Evelina's ghost. Angela embraces Percy, Reginald kneels to Evelina's ghost, Osmond lies on his back, and the other characters dispose themselves as effectively as possible under the glare of a little blue fire.

This was the production of a leading literary man some sixty-six years ago, at the leading theatre in England, assisted by the leading manager and actors of that time.

THE RESOURCES OF GREECE.

The fact that civil liberty and a free government have been established in Greece by the noble perseverance of the Greek people, after two thousand years of slavery, naturally awakens an interest in the prospects of the country. There stands the little kingdom created by diplomacy, possessing an unrivalled commercial position, with every element of social and political improvement at hand, yet a generation has passed away unprofitably. To its own creation, diplomacy has hitherto made success impossible. It forced a bad king into a circumscribed kingdom, whilst the Greeks themselves, although they pretend to be proud of their country and of its political liberty, prefer to live enslaved in Turkey, rather than enjoy liberty in liberated Greece. It is true that commerce thrives, towns increase, and merchants grow rich; but the people, who constitute the real strength of the nation, do not increase either in wealth or in numbers. Nothing has been done to develop the resources of the country, which are considerable. The peasantry have been compelled to live on under their Christian masters, in the same primitive condition in which they were under the Mahomedan yoke.

From the budget we learn that the public revenue of Greece is derived from the following sources, viz.:—

	Direct Taxes.	Drachmas.
Land-tax and usufruct	8,030,519	
Tax on Bees	32,252	
" Cattle	1,407,078	
" Professions	220,519	
" Houses	108,810	
		9,799,178
	Indirect Taxes.	
Customs	4,198,188	
Stamp duties	1,515,479	
Miscellaneous	395,148	
		6,108,815
	Public Establishments.	
Mint	2,000,000	
Post-office	244,961	
Printing-office	4,525	
		2,249,486

	Public Property in possession of Government.	
Mines and minerals	123,283	
Thermal springs	5,383	
Salt-pans	514,705	
Fisheries	144,843	
Forests	260,387	
Olive-groves	84,328	
Vineyards	263,505	
Gardens	119,455	
Buildings	63,699	
		1,579,588
Revenues from national lands alienated	30,342	
" from ecclesiastical property	189,923	
Miscellaneous revenues	755,534	
Receipts on arrears due	1,436,927	
		22,151,793

The expenditure may be stated as equal to the revenue. In England the difficulty is to raise a revenue sufficient to meet an unavoidable expenditure. In Greece the expenditure has been made to rise with the revenue, irrespective of public debts; the difficulty being so to distribute the increase of expenditure as to create as little jealousy as possible amongst the fortunate few in power.

The debts publicly acknowledged are as follows:—

First, the Rothschild debt of 1832, guaranteed by the three protecting Powers, who have, with very few exceptions, paid each year to the Messrs. Rothschild the amount due to them by the Greek Government as interest and sinking-fund on the debt. This debt will be liquidated in the year 1871. If the present system be permitted to continue, the Greek Government will then become a debtor to the three protecting Powers for the capital originally advanced as well as for the interest paid upon it.

These added together will amount at the end of 1871 to	£3,984,961
The Bavarian debt, incurred in 1843, amounts to	107,400
No interest has ever been charged upon this debt ; a large portion of it is disputed and a set-off claimed against it by the Greeks.	
The principal unacknowledged debt was incurred in the years 1824-25 in separate sums of £800,000 and £2,000,000 sterling.	
To the opportune arrival of these loans in Greece the nation is very much indebted for the ultimate success of the revolution. A very small portion of them have been redeemed. The accumulated interest on them amounts to fully 175 per cent. The bond- holders would possibly not be unwilling to forfeit all interest due up to the present day, if the debt were formally acknowledged, and if arrangements were made for its extinction, with interest, by annual instalments. We will, therefore, set this debt down in 1862 at only its original amount, viz.	2,800,000
There exists also an interior debt of a very trifling amount, not necessary to be noticed here.	
Thus the whole exterior debt of Greece, under the con- ditions specified, may be stated at.....	£6,892,361

As compared with other nations, this is not a large national debt. Certainly, for Greece, which has her chief resources still undeveloped, there is nothing in it to create alarm. Greece has within herself the means to meet honourably all her financial engagements. During the last five years the receipts of the kingdom have increased by above 5,000,000 drachmas. In 1859, despite of all the systematic peculation then existing, the receipts reached 22,151,000 drachmas. Under the influence of a good government, fiscal honesty, and the development of the resources of the country, the receipts cannot fail to augment very considerably. But it is sufficient for all the present wants of Greece that the receipts should not decrease. This will be better understood when it is mentioned that by the financial commission of 1859, of which we have spoken, it was clearly demonstrated to the Greek Government that the national expenditure ought not to exceed 15,000,000 drachmas per annum. It had been practically proved that this amount sufficed in previous years, not only for all ordinary requirements, but even to keep up an unnecessarily large army. Obviously, then, a reformed or economical Greece can set aside each year fully 6,000,000 drachmas, or, say, £200,000 sterling, towards the extinction of her debts. In 1859 the three protecting Powers insisted on an annual payment of only £40,000 sterling ; but it is now very generally admitted that it was an error to have been contented with so small an amount.

The increase in the revenues of Greece has arisen almost entirely from the increased price of agricultural produce received in payment of land-tax and from the increased commerce of the country. Commerce and agriculture are indisputably the chief sources of public wealth in Greece. These interests are so linked together that a stimulus to one stimulates the other. Commerce has thriven in Greece in spite of a bad government. This commercial prosperity has tended to enhance the value of agricultural produce, nor have the cultivators failed to profit by this circumstance. Agriculture would, doubtless, have sunk to even a lower ebb than it has now reached had it not received this timely aid from commerce. What we want now to see is, new vitality given to both, and to see both prospering and mutually aiding each other under an able and energetic ruler.

There is not now more land cultivated in Greece than there was fifty years ago, and the quality of the grain produced has deteriorated. Every road, bridge, or causeway constructed by the Turks in the interior has been allowed to fall into ruin or to become impassable. Fiscal remedies have been already suggested for the development of the agricultural resources ; but in order to reap the results of this development, it is necessary to facilitate the transport of produce to the sea by roads, by railroads, by tramways, by any possible means which science and experience can suggest. Under a system such as we have sketched, which does not require the outlay of any large amount of capital, no reason exists why Greece should not supply to Europe a very large portion of the grain which is now annually imported from America and Russia. The Russian trade is carried on chiefly by Greek merchants in Greek ships. Greeks now pass by the empty but magnificent harbours of Greece, and brave the perils of the Black Sea to enrich Russia by a commerce which could easily be transferred to their own country, and this with advantages sufficiently substantial to

excite an intelligent and speculative race to immediate and energetic action.

The commerce of Greece progresses steadily. The Minister of Finance, in a commercial report for 1860, the latest published, states the value of importations at 53,979,899 drachmas, and the value of exportations at 26,931,413 drachmas—total, 80,911,312 drachmas.

As compared with 1859, this shows an increase of 10,234,670 drachmas ; and, as compared with the average of the five preceding years, the increase amounts to 22,830,696 drachmas.

The mercantile marine consists of 4,070 vessels, of an aggregate tonnage of 23,842 tons. In the year 1860, the number of vessels was increased by 86.

Of the importations, 27 per cent. come from England ; of the exportations, 49 per cent. are sent to England. The former consist chiefly of cotton and woollen goods, iron, coal, and spirits. The exports consist of currants, cocoons, emery, and figs. Turkey, Austria, and France rank next after England in commercial importance to Greece.

It is worthy of observation that Greece imports grain from Turkey, Russia, Egypt, and the Principalities, to the value of 9,730,636 drachmas per annum. The value of the exports of grain amounts to 343,538 drachmas ; leaving for home consumption grain to the value of 9,387,108 drachmas. This is a large amount of food to be imported in one year into an agricultural country thinly peopled, and affords evidence that we have not exaggerated the condition of the Greek cultivator under Bavarian rule. The forest laws and the tariff on timber are such that it is more profitable to import timber from Germany than to cut it in the forests of Greece. Moreover, not only does the nation derive a very small profit from these forests, but every summer very many acres of forest are destroyed by fire, and the Government appears powerless to arrest the wilful destruction of its property.

It would be beyond the limits of our present task to enter into explanations of the taxes, direct or indirect, or of the public establishments. Detailed reports on these, on the revenues of Greece, and on the financial condition of the country, have been for some years in the Foreign Office. The publication of these reports has been promised, but we are not aware that the promise has, as yet, been fulfilled. At the present moment such reports could not fail to be of some public interest.

It may, with all truth, be said that, under a better financial administration than has heretofore existed in Greece, both the taxes and the public establishments might be made more profitable to the public treasury and far less oppressive to the people.

The public property is of considerable value, and has notoriously been shamefully mismanaged.

The Greeks received from the Turks a rich heritage, consisting of salt-pans, fisheries, olive-groves, currant-grounds, vineyards, gardens, buildings, and about one million and a half acres of land, a large portion of which was arable or under cultivation.

Except the latter, the "national lands," of which we shall speak hereafter, it is directed by law that these properties are to be let by public auction to the highest bidder. As a rule, we believe the forms of an auction have been gone through. But in a country where mock elections for high public offices have been systematically carried on, under royal sanction, for the benefit of creatures of the court, it cannot be difficult to believe that a system of mock auctions may also have been established for similar purposes. It is certain that the law has been laxly carried out in the letting of public property ; that the property has been let at less than its real value ; that the property has deteriorated much in the hands of the tenants ; that the rent due by tenants has been allowed to fall into arrear ; and, as regards the salines and fisheries, both have been considerably damaged by tenants with impunity. Each year all this property decreases in value ; it may yet be recovered, and made to yield to the nation a revenue far exceeding that which is now obtained from it. Since Greece has been a kingdom, the national lands have been an inexhaustible fund for bribery and corruption. From the Ministers to the lowest officials, as a rule, every one who has had the power of grasping a portion of them, has availed himself of his power. At this moment no correct account can be given of the disposal of these lands ; indeed their very limits are unknown to the Government. Except by local tradition or by some lists loosely compiled, to which it is now attempted to attach an official importance, the Government has no means at its command to check the usurpation of this property, or to recover what has been usurped. And at this very moment much public land is illegally possessed by many of the first men in Greece.

Nevertheless, this public property and these national lands have been mortgaged, certainly twice over ; viz., to the bondholders of

the loan of 1824-5, and the revenues derivable from them to the three protecting Powers for the loan of 1832. No better time than the present is ever likely to occur to institute an inquiry into and to rectify, once and for ever, this glaring public fraud. It is yet possible to benefit Greece considerably by such an inquiry. If it be deferred for a few more years, it would then, in all probability, be profitless.

Much is said amongst the Greeks themselves of the mineral wealth of the country. Rich mines of iron, lead, and coal, are stated to exist. Admitting their existence, it is very questionable whether they could be worked with profit in a rugged, roadless country, where fuel is very scarce and labour dear. Perhaps the coal-mine of Eubœa might be worked with profit: it is near the sea; the coal is serviceable, though not of a good quality. The emery of Naxos is far superior to that of Turkey, and always commands the highest price in the English market. For the polishing of machinery, and for other purposes in manufacture, it stands unrivalled. Notwithstanding its excellence, this valuable product has never been turned to the best account. It is stated that under one contractor it became depreciated in value in the London market because it was mixed with inferior Turkish emery. With another contractor the Greek Government was in litigation for some years, and lost, during a great part, if not the whole of the time, all revenue from the mines. We believe that the system in force of late years has been an improvement on any previously adopted.

The marbles of Greece are indisputably excellent in quality. The Pentelic marble, with which the Parthenon and all the great public temples were built, is unsurpassed as a marble for all architectural purposes. It exists to any extent in the mountain of Pentelius, and, by the application of a little science and capital, might be put on board ship in the harbour of the Piræus at a small cost.

At Paros white Parian marble can be obtained in any quantity, and shipped without much difficulty. This marble was carefully examined in 1859 by competent judges, who gave it as their opinion that the vein of marble then being worked at Paros was of a superior quality, both in grain and colour, to any Carrara marble. Exquisitely-coloured marbles abound in Greece; large massive columns of "verde antique," quarried in the island of Psara, have recently been placed in the cathedral at Athens.

It is strange that there is no export trade of marble from Greece, although large vessels are perpetually laden with inferior marble at Leghorn and Genoa, destined for America or some European port. The same fatal spell under which Greece has suffered so much is traceable here also, preventing a trade by which some of the people might acquire a competency and independence.

The question of the real value of the resources of Greece may be reduced to a very simple sum in proportion, viz.: If, under an administration such as we have described, the resources are worth "so much," under a good and honest administration, what would be their real value? If a correct answer could be obtained to this question, doubtless it would exhibit a startling difference between the first term and the answer. Whatever the difference be, it represents the measure of Greek fiscal dishonesty; a dishonesty by which the public debtors have been defrauded, the national property squandered, and the people cruelly oppressed.

The best assistance which we can give at this moment to the Greeks would be to place a fit ruler upon the throne of Greece, and to take care that he be well and truly informed in every respect. If the "right man" cannot be found, it is difficult to foresee possible consequences. But if he be found, and once ascend the throne, and if the Greeks are true to themselves, it is not too much to hope for Greece a future as successful and as materially useful in the East as has fallen to the lot of Anglo-Saxon colonies in the West; and for the Greek people a freedom and a prosperity which may be instrumental in diffusing among the surrounding nations Christian civilization and political liberty.

THE PAST WEEK.

THE most important thing we have to record in European politics is the publication in our official *Gazette* of the memorandum which Mr. Elliott has presented to the Provisional Government of Greece, promising the cession of the Ionian Islands. The text of this document is as follows:—

"It is her Majesty's earnest desire to contribute to the welfare and prosperity of Greece. The treaties of 1827 and 1832 bear evidence of this desire on the part of the British Crown. The Provisional Government of Greece declared, upon the withdrawal of King Otho from Greece, that their mission is to maintain for Greece constitutional monarchy and the relations of peace with all other states. If the new assembly of the representatives of the Greek nation should prove faithful to this declaration, should maintain

constitutional monarchy, and should refrain from all aggression against neighbouring states, and if they should choose a sovereign against whom no well-founded objection could be raised, her Majesty would see in this course of conduct a promise of future freedom and happiness for Greece. In such a case, her Majesty, with a view to strengthen the Greek monarchy, would be ready to announce to the senate and representatives of the Ionian Islands her Majesty's wish to see them united to the monarchy of Greece, and to form with Greece one united state; and if this wish should be expressed also by the Ionian legislature, her Majesty would then take steps for obtaining the concurrence of the Powers who were parties to the treaty by which the seven Ionian Islands and their dependencies were placed as a separate state under the protectorate of the British Crown." At the same time, her Majesty's Government "take care to make it understood that the election of a prince who should be the symbol and precursor of revolutionary disturbance, or of the adoption of an aggressive policy towards Turkey, would prevent any relinquishment of her Majesty's protectorate of the Ionian Islands. Her Majesty's Government trust that, in the selection of a sovereign to rule over Greece, the Greek assembly will choose for their king a prince from whom they can expect a regard for religious liberty, a respect for constitutional freedom, and a sincere love of peace. A prince possessing these qualities will be fitted to promote the happiness of Greece, and will be honoured with the friendship and confidence of her Majesty the Queen." It is said that a fresh attempt is being made, by the influence of King Leopold, to persuade Ferdinand of Coburg to accept the crown of Greece.

The struggle in Prussia, between the King and the constitutional deputies, seems to grow more intense. A popular meeting at Cologne has passed resolutions, approving of the conduct of the Chamber, in upholding its vote on the Budget. Professor Von Sybel, of the University of Bonn, has called upon the electors to "close their ranks" in defence of the Constitution, which is menaced by the encroachments of the royal prerogative.

The debates continue in the Spanish Cortes on the conduct of the Government and of General Prim in the expedition to Mexico. This affair seems to have occasioned some coolness between Spain and France. The Spanish ambassador, General Concha, has left Paris, and is not to return.

The news from America is to December 27. The latest war movements are these; that in Virginia the Confederates have abandoned Winchester, now occupied by the Federals, and have fallen back on Stanton, destroying the railway between those places. In the West, they have cut off the communication between the city of Columbus, which they now threaten, on the Mississippi, and that of Jackson, in the State of Tennessee; while they are preparing an attack upon Nashville, the capital of that State, and have made a raid in the suburbs of Memphis. In the State of Mississippi, at Holly Springs, they have captured a large quantity of Federal stores; and their guerilla captain, Morgan, has made a successful dash at a place called Glasgow, in Kentucky. The political situation and plans of the Federal Government are still uncertain. It was affirmed by some, and denied by others, that President Lincoln would, on the 1st of January, definitely confirm his emancipation decree, exempting the Border States, and those in which a party loyal to the Union exists, from the operation of that decree. It is equally doubtful whether he will not put a constitutional *veto* on the bill which Congress has passed for the erection of Western Virginia into a new free State. With regard to finance, a bill has been brought in by the Secretary of the Treasury, for raising nine hundred million dollars by the issue of six per cent., seven per cent., and seven-and-a-half per cent. bonds, with notes to be brought into circulation through certain new banks which it is proposed to establish for that purpose. Mr. Chase, in his communication to Congress, proposing these measures, expresses his profound sense of the importance of this measure for the negotiation of loans, for the collection of internal revenue, and the security of the people against the evils of an enormous unredeemable paper-money circulation. The disastrous failure of General Burnside's attack at Fredericksburg led to a Ministerial crisis. An attempt was made by a party in the Senate to get rid of Mr. Seward, the Secretary of State, Mr. Chase, the Secretary of the Treasury, and Mr. Stanton, the Secretary of War; and the resignations of Mr. Seward and Mr. Chase were tendered to the President, but he would not part with them. General Burnside himself, in his report on the affair at Fredericksburg, admits that the crossing of the Rappahannock, and attacking the fortified positions beyond, were his own acts. He says, that the President and the Secretary of War, as well as General Halleck, the Commander-in-Chief, had advised that the crossing should be made lower down the river; but he, Burnside, in the exercise of the authority given him, had decided, for reasons which he deemed sufficient, to cross at Fredericksburg, and attack the enemy's centre. Such was his knowledge of the distribution of Lee's troops, that he thought a favourable moment for the movement had come. Unfortunately, the delay caused by the resistance of the enemy's sharpshooters, as well as by a heavy fog, involved a loss of twenty-four hours of precious time, and Lee was thus able to get ready for the attack. The failure is briefly dwelt on: the courage of the men; the delay afterwards, and the show of preparation for renewed attack; then the withdrawal of the army in a single night, leaving behind neither property nor men. Finally, General Burnside says that if the attack had succeeded, the praise for it would have been due to the courage of the troops. "For its failure," he adds, "I alone am respon-

sible." He then speaks of the loss—1,100 killed, 9,000 wounded, and 900 prisoners. The prisoners were at once paroled, or rather exchanged for a like number taken from the enemy. Of the wounded, an unusual number were but slightly hurt, so that but 1,600 were taken to hospital. He describes the march of the men in the early morning after their recrossing of the river, and their good order as they moved towards their old camping-ground, all as if they were on parade. He says that the army is not at all demoralised, and that it is, of course, eager for further employment. He speaks, then, of the change from Warrenton to Fredericksburg, the sudden alteration of the plan of campaign, as entirely his own act. He exonerates, in other words, the President, Secretary of War, and General-in-Chief from any share of responsibility for the movement, which has proved so disastrous.

The Federals have gained a military success in North Carolina, where General Foster, moving from Newbern to Kingston, found the enemy strongly posted, but by a vigorous attack he routed them, taking 400 to 500 prisoners and 11 pieces of artillery, with a large amount of quartermaster's and commissary's stores. His next move was upon Goldsboro', where his aim would be to sever the main line of communication between Richmond and the Carolinas. We look for tidings of another action in North Carolina; an expedition has left Port Royal, it is supposed for Wilmington. The expedition of General Banks has got into the Gulf of Mexico, where several of his transports have been wrecked. Its destination is supposed to be the mouth of the Mississippi, or else Ship Island, for an attack on Mobile. One of the Federal iron-clad gunboats has been blown up by a torpedo in the Yazoo river, Mississippi. An expedition again Vicksburg has just started from Cairo. We have accounts of a battle in Arkansas, which proved a substantial victory for the Federal troops. A body of 7,000 of them, under General Heron, fought nearly all day a force of the enemy represented as 26,000 strong. Immense courage was shown by his men. The enemy were held at bay, and late in the afternoon a reinforcement of Federals came up, under General Blunt, of 5,000 men. Then the ardour of the Federal troops became irresistible, and when night closed the enemy were in full retreat. The scene of the battle is known as Cane Ridge, which is therefore the name by which the engagement is called. The victory opens to the Federals a large part of Northern Arkansas. The flight of the rebel army is, however, in part a sudden transfer of themselves into Mississippi, to swell the force which threatens Nashville. Great frauds have been discovered, on the Federal Government in the matter of army debts. Many merchants and brokers in New York are involved. A secret investigation has been in progress for two months. The loss sustained by the Government amounts, as far as known, to about 1,000,000 dollars. An investigation shows that out of 1,600,000 dollars paid out in one city alone from the special appropriation of 20,000,000 dollars for recruiting, organizing, and drilling volunteers, nearly one-half has been paid on fraudulent accounts. Nearly one thousand persons had been engaged in the matter, but they were not all criminally implicated.

The Queen is at Osborne; the Prince of Wales is shooting over his newly-purchased demesne in Norfolk; Prince Alfred is not practising airs of Athenian royalty, but doing his duty as a midshipman, often at the masthead, or studying the use of the sextant, on board the *St. George*, in the Neapolitan Bay of Baiae. Both our married sister princesses, curiously enough, have been meeting with carriage accidents—the one at Osborne, the other at Berlin; yet both, we are happy to say, escaped without any very serious hurt. The Princess of Prussia, with her husband, was riding along Tempelhofer Strasse, in a carriage drawn by two horses, at a very moderate pace, in order to avoid coming into contact with some fire-engines which were passing by at the time, when a careless driver from the country managed his horses so clumsily that the pole of the wagon to which they were attached was carried right through the window of one of the doors of the royal carriage, shattering it to pieces. The Crown Princess, in the terror of the moment, put out her hand to seize the door, and was cut by the broken glass. The Princess Alice of Hesse for her part, attended by the Hon. Miss Bruce, was proceeding in a waggonette from Osborne, by the Cowes road, and round the neighbourhood of Newport, for a morning drive, when the postilion attempted to drive between two other vehicles which were on the road. The wheels of the vehicles came into collision, the waggonette was overturned, and the Princess and her companion were thrown out with considerable violence. The ankle of the Princess was sprained and she was severely shaken, but sustained no further damage. Miss Bruce was also considerably shaken, and the muscles of her hand were severely lacerated. The unfortunate ladies were removed to a house close by, being assisted by Mr. Groves, a medical student, who was passing at the time. Her Royal Highness and companion were subsequently removed to Osborne, and, next day, the Princess was quite well.

Lord Palmerston is still playing the genial patriarch and patron of agricultural merit at Romsey, where he gave away the prizes of a Labourers' Encouragement Society on Wednesday last. He pleasantly admonished the ploughmen to beware of beer and baccy, desired their wives to keep the cottage tidy and trim, and denounced the weed "charlock," with which the fields about Romsey are too much overrun. While thus engaged in dispensing the honorary rewards of rural toil and virtue to the humblest class, he is minded also, as we learn from the *Globe*, to confer a baronetage upon six gentlemen of good estate and social influence;

they are Mr. William Brown, of Liverpool; Mr. Frank Crossley, of Halifax, M.P. for the West Riding; Mr. David Baxter, of Dundee; Sir Daniel Cooper, the first Speaker of the Legislative Assembly of New South Wales; Mr. Henry Rich, for many years a consistent supporter of Liberal principles in the House of Commons; and Mr. Thomas Davies Lloyd, of Bronwydd, a Welsh gentleman of ancient lineage.

A further decrease of the numbers receiving relief from the rates in the twenty-one unions chiefly affected by the "cotton famine" is officially reported; in the last week of the year the paupers fell from 271,210 to 267,160, being a net decrease of 4,050. The total decrease since the numbers began to fall has been 10,950. At the weekly meeting of the Central Relief Committee at Manchester, Mr. Farnall, the Government Special Commissioner, reported the number of persons receiving parochial relief on the 27th ult., as 260,546, which is a decrease on the previous week of 3,911. Some important conversation arose as to the chances of an improved supply of cotton. It was stated that our weekly consumption during 1862 had averaged 22,990 bales, which, compared with 1860, the last year of full working, when the weekly average was 48,700 bales, gave a little short of three days a week. The probable increase for 1863 would be 134,650 bales. Altogether they estimated the supply per week likely to be received in 1863 at 21,000 bales, against the 48,700 of 1860. If the American war continued, we might expect only half-time working for 1863. Assuming the continuance of the war, we should require all the money that could be obtained for at least three years to come to keep the operatives alive, and probably many years would elapse before the supply of cotton would equal the demand of recent years. One gentleman, however, was of opinion that there would be amply sufficient cotton for half-time employment this year.

A report from Manchester states that the weekly expenditure of the committees is now close upon 40,000*l.*, and the Central Relief Committee has a balance of 350,000*l.* at its bankers, making, with a balance unexpended in the hands of local committees, half a million. "If," adds the writer, "there is any truth in the complaint that local claims are being neglected from the diversion of charity to these districts, it would be a great pity. There certainly seems to be no necessity for it, for here is three months' provision, even at the present high rate of outgoings, which must fall off in a few weeks, when the work of clothing is completed."

The amount paid by the Central Relief Committee into its bankers to the end of last year was 500,372*l.* 0*s.* 11*d.* The whole of the Mansion-house Fund amounted to 335,843*l.* at the last weekly report. Together, therefore, these two great agencies have collected 836,215*l.*

A conference of Church schoolmasters, from all parts of England, has met at Oxford. They complained of the manner in which they were treated by the Vice-President of the Committee of Council, and by the Ministerial party in the House of Commons last session, in the debates on the Revised Code. They resolved to apply for a Scholastic Registration Act, on the same principle as the Medical Registration Act of 1858. An interesting discussion took place on the establishment of night schools in agricultural villages, where young single men of the labouring class should be gathered, under the eye of the parish clergyman, into a room more cheerful and attractive than the village alehouse, to be taught "the four R's," namely, reading, writing, arithmetic, and religion. There were good reports from Lancashire of the adult schooling which has begun since the stoppage of work in the cotton factories. The Master of Balliol, who dined with the Associated Schoolmasters after their conference, was glad to see that they showed so much *esprit de corps*. He thought their work was second only to the ordained ministry of the Church, and much akin to it. Education, he observed, was now earnestly taken in hand as the great problem of the day. The parochial school, the grammar school, and the training school, should be linked together in some progressive order, by which one might feed the other, as the middle-class schools had been brought into communication with the universities by the system of local examinations. And as, among those who gained high distinctions in the local examinations, there were some led on to compete for University scholarships; he would like, also, to see rich and charitable persons lend a helping hand to any pupils in the parochial schools who were gifted with extraordinary talent, that they might be enabled to study at Oxford or Cambridge. By this means popular education throughout the country would be a running stream, and not a stagnant pool.

Another fire has been attended with as much loss of life as that in Soho a fortnight ago. It was in the house of a shoemaker, named Keene, in College-street, Portsea. There were six children asleep in the top rooms, while Keene and his wife sat with two friends, in a room behind the shop, to make merry on New Year's-eve. They heard a crackling noise in the shop, opened the door, and found the shop full of flames. The two "friends" rushed out of the back-door and "escaped" over a wall. The parents ran upstairs to save their children; but it was the mother, and not the man, who sacrificed her own life for them. While her husband, baffled by the stifling smoke, gave it up, and came safe down again, she insisted on going on, and died with her little ones. At the inquest on the death of six children who perished in the Soho fire, it appeared that the fire began in Mr. Chard's jeweller's and watchmaker's shop on the ground-floor. The policeman outside burst open the house-door, and the grown people who lived there, amongst whom were Samuel Spencer, a porter, and his wife, the parents of the six children, managed to escape; but the children

were burnt. There was some delay in getting the engines to work, and Denyer, the nearest turncock, was censured for neglect. Four more children have been suffocated by a fire in their bedroom, at Greenock. The Royal Hotel, with the Theatre Royal adjoining it at Plymouth, a large building of some architectural elegance, has been destroyed by fire.

A very horrible murder has been perpetrated at Haigh, near Wigan. John Barton, the fireman of a colliery, was missing from his place in front of the furnace on Saturday morning, and drops of blood were found on the furnace-plates. When the ashes were raked out, it was discovered that he had been thrust bodily, feet foremost, into the fire. A handful or two of charred remnants of bones, with a few teeth, some buttons, and the nails of his boots, were left unconsumed. It is supposed that he was killed for the sake of a silver watch and a little money in his pocket. He was an elderly man, with a wife and several children. The fire was kept burning for several hours after the man's disappearance was observed, nobody suspecting, until daylight showed the blood, what had become of him; and it is a shocking circumstance that the man's own son, whose turn it was to attend to the fire, helped unconsciously to destroy what remained of the father's corpse. The foul deed must have been done by more than one person, as it could have been no easy task to lift the body and thrust it into the furnace-hole, at a height of several feet above the ground, and in front of so fierce a blaze. The police are looking out for a man whose hair and whiskers are singed. At Newcastle, a woman fifty years of age, the wife of a cobbler, was murdered on New Year's-day morning, or died from the violence used towards her in dragging her, when drunk, to a lonely place behind the "Back Walls," where she was made the victim of a brutal outrage. The murderer was a labourer named George Vass, twenty-two years of age, who had met her at a beershop, and, seeing her helpless condition, had followed her out, beating off her husband, who interfered to protect her. Her skull and the bones of her face were found to have been smashed, and there was a rupture of her liver, from the savage violence with which she had been treated. At Mareham-le-Fen, in Lincolnshire, Mrs. Garner, a widow, who died in December, 1861, has been taken out of her grave, where she had lain a twelvemonth, as it is now suspected that she died of poison, given her by her son, and a servant, Elizabeth Walker, whom he has since married; he is a grocer in the village. He often kicked his mother, abused her in the coarsest language, and taunted her when dying with what he called "her d—d Wesleyanism," saying that she was afraid because it was giving way; he said she had troubled him for thirty years, and she might "die and be d—d." The poor old soul replied, "My dear boy, I am comfortable now; I am dying; my Wesleyanism has stood by me all my days." The coroner's jury have found a verdict of murder against this fellow and his present wife, who helped him to mix the arrowroot and the other things for his mother in her last illness. Arsenic had certainly been given to her, in several doses. Shortly before her death, John Garner had arsenic in his possession, and those who ate of her rice pudding, which he and his paramour did not eat, were taken ill with symptoms of that poison. He had a first wife, who died some time before his mother. Her corpse has likewise been disinterred, and arsenic is found in the stomach.

An accident has occurred to the Great Northern parliamentary train from York to London, which was run into by the train from Leeds at the Knottingley station, on the Lancashire and Yorkshire railway. It happened in a dense fog on Tuesday morning. Twenty persons were more or less hurt, several having their limbs crushed or receiving severe internal injuries, but none were killed.

The trial of the six men concerned in stealing Bank of England note-paper, and forging Bank notes, has been commenced before Mr. Justice Blackburn, at the Old Bailey. The facts of this case must be fresh in our readers' recollection. The principal witness is Henry Brown, a young man employed in the paper-mill of Messrs. Portal, at Laverstoke, near Whitchurch. The case for the prosecution has been concluded.

An action for libel has been commenced against the *Saturday Review*, by the Rev. Dr. Campbell, a well-known Dissenting minister and a controversial writer.

Mr. A. Milne, an "artistic hair jeweller," in South Frederick-street, Edinburgh, is charged with the murder or manslaughter of a man named Paterson, a workman in his employment. The causes of their quarrel are not yet publicly known; but Mr. Milne, excited by drink, rushed upon the man, and stabbed him.

The East Kent election has resulted in the return of Sir Edward Dering, the Liberal candidate, by a majority of 88 over his Conservative opponent, Sir Norton Knatchbull; the numbers being 2,687 against 2,775. Sir Edward Dering will give his hearty support to the Government of Lord Palmerston. His proposer was Mr. Knatchbull Hugessen, brother of the defeated candidate, whose father, the late Sir Edward Knatchbull, was proposed for the county, twenty years ago, by Sir Edward Dering himself.

Mr. Cardwell has made another speech at Oxford, to the members of a Friendly Society, advising the working classes to cherish the virtue of frugality, for the sake of their social independence. He instanced the system established by the Merchant Shipping Act for encouraging saving habits among the sailors. In a twelve-month after that system commenced, they had saved and sent to their families above £100,000.

The chairmen of Quarter Sessions throughout the country are

discussing the punishment of criminals and management of prisons. Sir Eardley Wilmot, in Warwickshire, says it is really useless to pass sentences on offenders, under the present system, because the sentences are not carried out. He recommends transportation, with the employment of convicts on public works in some of our colonies, where there is "a native population for the convicts to mix with." The Earl of Carnarvon, at Winchester, has censured and derided the laxity of prison discipline with some force. Sir William Miles, in Somersetshire, declares that the system pursued by Sir Joshua Jebb and the Home Office is, to him, perfectly unintelligible, and even astonishing: he would adopt the Irish system. He read a letter from the chief constable of that county, with some practical suggestions as to the conditions upon which tickets-of-leave should be granted; besides which the chief constable thinks it would be as well to cease pampering the convicts with luxurious fare in prison. "S. G. O." and another clergyman, a Dorsetshire neighbour of his, write in the *Times*, with sarcasm as powerful as Lord Carnarvon's, about the literary leisure enjoyed by the ruffians in Portland prison. Some of the convicts are allowed to "read Horace." Others, for aught we know, delight in the Eclogues of Virgil, and gratefully repeat of Sir Joshua Jebb, *Deus nobis haec otia fecit!*

An old man of seventy, William Ockold, a tailor, having just been hanged at Worcester for the murder of his wife, the Earl of Dudley, chairman of the quarter sessions, notices the scandal of the popular sympathy excited by his venerable appearance—with a hoary head—upon the scaffold, and suggests that the performance of executions might as well not take place in public. A committee of the county justices is appointed to consider this question.

There has been a Ministerial crisis in Turkey, the exact causes and results of which are not yet explained; but Kiamil Pasha is now Grand Vizier, and Aali Pasha still Minister of Foreign Affairs, while Fuad Pasha will be President of the Council.

Sixty-six political offenders are undergoing their trial at Warsaw, and a political spy has, meanwhile, been stabbed.

Reviews of Books.

THE DUTIES OF MAN.*

THIS is a translation of a small—but comprehensive treatise, addressed by M. Mazzini "to the Italian working class," and intended as a statement of the principles upon which they "may, if they will, fulfil their mission in Italy." It is written in a style which is deservedly a perfect abomination to Englishmen. "To you, sons and daughters of the people, I dedicate this book. "Hold the Family sacred, my brothers." "The family is the heart's country. There is in the family an angel. This angel of the family is woman. . . . Woman is the caress of existence." Such sentiments so expressed must make every one who has had the advantage of an English education feel the most sincere satisfaction in the reflection that from an early age he has been taught not to maulder, and to keep his feelings to himself. Woman may be the caress of existence, but what can we think of a man who has the face to print such a sentence? The bare quotation of such a phrase is a sufficient criticism on the style of the book which contains it, and may supersede all further remarks on the subject. It is as offensive to the taste as two bearded men kissing each other are to the sight.

The substance of M. Mazzini's book deserves more attention than its style, and throws considerable light on the character of a man whose name is held in lower estimation in this country than that of almost any other foreign politician. Justly or not, M. Mazzini has the reputation of being not merely an impracticable and unreasonable antagonist of the only solid prospect of liberty and prosperity open to his country, but of setting on others to run the risks which he himself declines. His book throws no light on his political conduct, but it throws a good deal on his speculative power, and on the tendency which his teaching has, or ought to have. The effect of what he has to say may be given shortly as follows:—Ever since the French Revolution, that part of Europe in which the revolt against the old state of things triumphed most decisively, has conducted its affairs on what M. Mazzini calls the theory of rights—the theory, that is, that "Man was born for happiness; that he had a right to seek happiness by every means in his power; and that no one had a right to impede him in that search, while he had a right to overthrow whatever obstacles he met in his path to it." The acceptance and prevalence of this theory, says M. Mazzini, has not improved the condition of the poor, because, though it secured them liberty, it did not give them the means of using it. The theory of rights, in a word, was a theory that life is a general scramble for money or money's worth, and in this scramble the weakest have gone to the wall; nor have they got much satisfaction from the reflection that the rules of the game are made fairer than they used to be for those who can afford to play at it. These evils are to be remedied by substituting for the theory of rights the theory of duty. "We must convince men that they are all sons of one true God, and bound to fulfil and execute one sole law here on earth; that each of them is bound to live not for himself, but for others; that the aim of existence is not to be more or less happy, but to make themselves and others more virtuous." M. Mazzini, after this, goes on to inquire, in a chapter entitled "God," more specifically what this law is. He disposes, much to

* The Duties of Man. By Joseph Mazzini. Chapman & Hall. 1862.

his own satisfaction, of the views taken by others on the subject. Protestants, he says, separate politics and religious belief, and they ask "Materialists or Spiritualists, whichever you be, do you believe in the liberty and equality of mankind? Do you desire the well-being of the majority? Do you believe in universal suffrage? Unite together to obtain these things; in order to obtain these, you will have no occasion to come to a common understanding about heavenly things." On the other hand, devout Catholics call upon mankind to despise this world, and to live entirely for another, considering the present life exclusively as a time of trial and a scene of exile and misery. The first view leads to the destruction of the weak, and the second to a practical Manicheism. The true view is, that God created the world with certain objects, and imposed duties having reference to them on its inhabitants.

Up to this point M. Mazzini will appear, to an English reader, to have been talking the oldest of all commonplaces, in language remarkable only for its affectation. It is true, no doubt, that in many parts of the world, especially in France, and amongst ignorant or inexact speakers and writers in England, a great deal of nonsense has been talked about rights; but the theory of natural rights which M. Mazzini appears to suppose to be essential to the utilitarian, or, as he absurdly calls it, the materialist theory of morals, is in fact opposed to it, and has been refuted in the most conclusive manner by the principal English advocate of that theory, Jeremy Bentham. Austin and Mr. John Mill would repudiate as vigorously as M. Mazzini the notions which he ascribes to the liberal school of modern politicians,—to what he calls indiscriminately Protestants. The theory of that school (which is summed up with beautiful clearness in Austin's lectures on the Province of Jurisprudence) is that a law is a command; that a right is a power which the legislator confers and ascertains by the law; and that a duty is the correlative of a right, a burden imposed by a law. Hence there can be neither rights nor duties without laws, and there can be no law without a legislator, nor can any one speak of rights and duties, in the strict sense of the word, apart from those which are imposed by the express law of some nation, unless he believes in a God who has, in some way or other, issued commands imposing those rights and duties. This theory has not only been well established in England for the last half-century, but might be traced far back in English legal and theological literature. Blackstone puts it forward at the very beginning of his Commentaries in a mincing illogical way. The difficulty is to make out what the divine law is. Let us see how M. Mazzini deals with it.

Chapter II. is entitled "The Law," and it begins by repeating, in a feeble form, the phrases which unfortunately deluded men so eminent as Montesquieu and Hooker:—"You live, therefore you have a law of life. There is no life without its law. Whatever thing exists, exists in a certain method, according to certain methods, and is governed by a certain law. The mineral world is governed by a law of aggregation, the vegetable by a law of development; the stars are ruled by a law of motion. Your life is governed by a law higher and nobler than these, even as you are superior to all other created earthly things. To develop yourselves and act and live according to your law, is your first, or rather your sole duty." This is all metaphor, and inappropriate and misleading metaphor. If God has ordered men to do this and that under pain of punishment, there is such a thing as a divine law; but what reason is there to suppose that the sun shines and the planets move for fear of being damned? Passing over this, however, the question still recurs, what this law is. M. Mazzini tells us that some have found it in a book, others in conscience, others in "the universal Judgment;" "whenever Humanity is agreed in a belief, that belief is the truth." M. Mazzini considers that all these are wrong, and affirms that the concurrence of the conscience of the individual with the consent of Humanity (with a capital H) constitutes the Divine Law. "Whosoever they agree, whosoever the cry of your own conscience is ratified by the consent of Humanity, God is there." To most understandings this will appear a wonderful doctrine; for inasmuch as every individual is a part of humanity, how can humanity be unanimous and the individual conscience rebel? M. Mazzini's view, without the capital letters, falls into this remarkable shape. The universal consent of mankind is no proof of the truth of what it affirms, unless every individual man concurs in the affirmative; in which case "God is there." The united opinion of John, Thomas, and Peter, that two and two make four, proves nothing, unless John thinks so, and Thomas thinks so, and Peter thinks so; but if they do, it is irresistible. Candid critics may concede to M. Mazzini that a united opinion given by persons who do not individually agree is of very little value. They might go so far as to admit that in practice it rarely occurs.

Perhaps in order to avoid this difficulty, M. Mazzini gives a theory of Humanity. This mysterious being is quite distinct from individual men. It is "a Being whose life is continuous, whose faculties are the result and sum of all the individual faculties that have existed for, perhaps, four hundred ages" (why four hundred? Is there any particular reason for giving 40,000 years as the proximate age of the human race?); "a Being which, in the midst of the errors and crimes of individuals, yet ever advances in wisdom and morality; a Being in whose development and Progress God has inscribed, and from epoch to epoch does still inscribe, a line of his law." If any one finds a certain difficulty in seeing what this means, he may be pleased to know that "Humanity is the Word living in God. The spirit of God fecundates it and manifests itself in greater purity and activity from epoch to epoch." "Humanity is the successive incarnation of God." From this clear explanation

of the nature of humanity we rise to an equally clear perception—which, however, requires the assistance of capitals and italics—of the Divine Law. "The Law of God is one, as God himself is one; but we discover it article by article, line by line, according to the accumulated experience of the generations that have preceded us, and according to the extension and increased intensity of association among races, peoples, and individuals." This is M. Mazzini's view of the Divine Law, and from it he deduces, in an equally satisfactory manner, all the duties of men. What he has to say on the matter is nothing but stilted commonplace, the stilts themselves being commonplace. There is a deal of talk about men's duties to humanity, to their country, to their families, to themselves. M. Mazzini points out the importance of education, and puts into big phrases a number of the oldest of commonplaces. He also dwells at great length on the importance of the principle of association; tells the well-known history of the co-operative stores at Rochdale, and of some similar institutions in Paris, and protests, on the usual grounds, against Socialism. There is one chapter in his book which deserves to be noticed (Chap. VIII.—on Liberty). He maintains in it that "the Republic is the only logical and truly legitimate form of government." As this conclusion is based on the strange jargon already described about humanity and the Divine Law, it is unnecessary to examine it. It is enough to state it as an illustration of the practical effects which may flow from the substitution of cloudy rhetoric for serious thought.

The most important reflection that M. Mazzini's book suggests is, that he, and those who talk like him,—and their number, both at home and abroad, is not inconsiderable,—persist with a perverseness which almost amounts to judicial blindness, in misunderstanding and misrepresenting the views expressed by those who have exercised, and do exercise, a real influence over the sober part of mankind. For that school of thought which has exercised the widest influence over English policy for the last half-century, M. Mazzini has no better words than egotism and materialism. He views all modern Liberalism as essentially oppressive and selfish, and his great object is to substitute for it something more tender-hearted. We have pointed out already how entirely he misconceives the fundamental doctrines of the great writers of this school on the subject of morality, and how, when he comes to the pinch of the case,—the question, namely, how we are to ascertain what the Divine Law is, assuming that such a law exists, he substitutes cloudy and inconsistent metaphors and rhetoric for anything like exact thought. But in order to show how great is the injustice as well as the absurdity of this way of writing, it will be necessary to point out, at the risk of repeating very elementary propositions, the manner in which English writers would deal with some of the problems which M. Mazzini involves in language so cloudy and pretentious. All moral speculations, handled as we in England handle them, may be resolved into two great questions:—What is morality? Why should I be moral? The answers usually given to these two questions are, Morality is the course of conduct which, as a rule, produces the greatest amount of happiness. You ought to be moral because God orders you. To the further question, Why should I obey God? there are two answers; one which addresses itself to persons who care for themselves only; namely, Because it will be the worse for you if you do not;—the other addressed to persons who are actuated by the common affections of mankind: Because you cannot doubt that an infinitely wise and good Being means well by you and your fellows. In practice each answer is addressed to every one; for we are all mixed beings, partly led and partly driven on almost every occasion. Of course it is possible to invent a scheme of morality on atheistical principles. If there were no God, it would still be true that some ways of acting increase human happiness, and that others diminish it. It is also true, that, to a certain extent,—in most men to a very small extent,—the motive to be moral is independent of the existence of God. A man might say, Whether there is a God or no, my wish to benefit others is greater than my wish to benefit myself, and therefore I will act with that view. But such conduct would be not an act of obedience to law proper, but an act voluntarily performed in accordance with a certain principle, which is quite another thing. Moral rights and duties, in the proper sense of the words, cannot be recognized by an atheist, though an atheist may, no doubt, believe in morality and be moral himself.

This simple account of the matter solves every problem which M. Mazzini states, without all his cumbrous and unintelligible talk about humanity and the like. Show that a course of conduct—for instance, the establishment of co-operative associations—tends to promote human happiness, and it immediately becomes the duty of those who have the opportunity to follow that course of conduct. It is mere calumny or ignorance to assert that happiness, according to the doctrines of the English Liberal school, means pleasurable sensation. Of the fifteen pleasures into which Bentham divides the idea of happiness, two-thirds are not referable to sensation at all, except, indeed, in so far as sensation is essential to consciousness. The pleasures of intelligence, of piety, of benevolence, and of malevolence, form part of his notion of happiness, as well as those of the senses and of riches.

The great advantage of this concise and solid theory is that it stands on firm ground, tries things by intelligible tests, and does not profess to turn the world topsy-turvy; whereas M. Mazzini's cloudy nonsense professes to make great discoveries, when what he has to say is as old as the multiplication table. Look, for instance, at the place which co-operative associations hold in the two systems. According to M. Mazzini's view, they are something wonderful, and depend upon a principle of association quite distinct

from all old-fashioned principles. According to the English theory, they are a most useful and excellent form of the oldest of all contrivances—that of partnership. A working man's association is simply a firm in which the capital belongs to the workmen, an arrangement which has existed time out of mind amongst the fishermen on most of the English coasts. Can there be any doubt which of these views is the true one? Do not these firms work just like any others? Do not they make and execute contracts? Do not they compete with one another and with other firms? Of course they do, and in doing so they conform exactly to the established principles of society, principles which, whatever M. Mazzini may think, have shown themselves anvils capable of wearing out any number of metaphysical hammers, headed though they may be with the biggest abstract words printed at the beginning of the shortest paragraphs in every variety of type.

STANLEY'S LECTURES ON THE JEWISH CHURCH.*

THERE are few books of which the publication has in late years been expected with more eagerness than Professor Stanley's Lectures on Jewish History. Not only did those who care for accurate learning congratulate themselves on the prospect of a new work from the most prominent student of the Old Testament in the country; but the public, long harassed by conflicting arguments, and long disposed to believe in nothing so much as their own ignorance, looked forward with confidence to the manifesto of some authority whom they could respect as being not unlearned, and trust as not being too rash. It is a fortunate thing when a large number of the people have arrived at the conclusion that there is much to be learnt on any subject. The best state of mind for receiving information is that in which there is most belief in the possibility of its being conveyed. By this time the conviction has been thoroughly dinned into Englishmen, and not without some reason, that about the history and the criticism of their sacred books the best of them know but little; and there must have been many who confidently expected to hear, when a new work on Jewish history was announced, that there was never such a person as Abraham, and that Genesis was composed in the second or third century after Christ. Whatever was the state of popular knowledge on the subject, the appearance of this book is a marked event. It is difficult to imagine a greater responsibility than that which rested upon the author to make it everything that a history should be. The work is sure to be a standard one for many years; it will be appealed to as an authority, learnt as a text-book, read as an instructive manual. Any incompleteness or carelessness in this book will be a fault which will bear fruit in the theological knowledge of a great part of the coming generation. The first part has at length been published, containing the history of the Jewish Church from Abraham to Samuel, and destined to be followed by two others in course of time.

In every point but one, Professor Stanley is the best man that could have been found to execute the task proposed. He is clear-headed, versatile, and liberal; his style is admirably vivid; he renders interesting whatever he touches; by contrast he almost seems to render uninteresting whatever he leaves untouched. His "Sinai and Palestine" has achieved a popularity which shows how ready the world was to be taught; and it is a work which well repays not only a rapid perusal, but a strict and careful study. Still more "luminous," more fertile in fact, illustration, and explanation, are his articles in the "Biblical Dictionary," a book of which he often quotes, not only, we are glad to remark, the volume now before the public, but repeatedly also the forthcoming volume as well. It is not too much to say that no one unacquainted with foreign literature can have formed a really adequate idea of David's life till he has read Dr. Stanley's article in the Dictionary just mentioned. Such being the author's powers, we open this volume in high expectation. Partly it fulfils our hopes; it is picturesque, interesting, full of knowledge. Partly, in deficiencies not so easy to describe as are its virtues, it disappoints them.

Whatever the failings of this book are, the key to them lies in its title. It consists of lectures, not of a history; the subject is the "Jewish Church," and not the Jews. We said that, in every point but one, Professor Stanley was the best man that could have been selected to write such a book as this. That one point is, that he cannot persuade himself to work out and discuss fully a difficult and intricate position. His thoughts throw themselves spontaneously into the form of lectures. The method which he thus naturally professes and deliberately adopts is one which is particularly suited, it is true, to the history of the Jews, in so far as it enables its author to keep clear of polemic controversy. The different views, for example, which have been taken of the story of Balaam's ass, might lead an ordinary historian into a field of dispute and recrimination from which an easy deliverance is effected by the simple expedient of avoiding the topic altogether; and although the Professor has been rather too ready to adopt this safe and convenient device, we hardly grudge him, for the sake of peace, what an over-accurate critic might perhaps, in the cause of clearness, be disposed to challenge and refuse. Here, however, is the end of the licence which the system of lecture-history has any right to claim. When the author says that, as the chronology of the early books is so obscure, he will not enter into it at all, it must simply be observed

that the omission very decidedly impairs the value of his work. It will be said that a writer may fairly be allowed to choose his own form of treatment. We reply, that we have nevertheless a right to criticize his choice. Lectures cannot discuss minute questions, or deal with facts simply as facts; and, in so far as they cannot do so, they are not the shape into which a history should be thrown which is more exposed than any other to the loose views which ensue from popularity, and the vagueness which, with many minds, is almost an ingredient of reverence.

These are lectures on the "Jewish Church." The Professor of ecclesiastical history at Oxford seems to consider himself bound to assume towards the world at large the position which he occupies towards his university. It is quite conceivable that Jewish history from a Church point of view may be useful to others besides undergraduates, and if Ewald himself were to write a discourse on apostolical succession from the time of Aaron to our own, it would, no doubt, be worth attending to. But is it not notorious that the history of the Jews has suffered enough already from being overladen, so to speak, with theology? It has its theological side, which can seldom be far absent from our thoughts during its perusal; but is not this the very reason that it should be treated for once in its practical and human aspect alone? The Jews were a people who claimed in every important act a heavenly guidance, and from every part of whose story a religious moral has ever been drawn by Christians. But they were men like ourselves, fought with the same passions, spoke the same kind of language, hated and loved, hoped and feared, rejoiced and sorrowed, as we do. When we want to look upon them for once as men, why should they be forced upon us as a church? Dr. Stanley is describing the speech of Jotham to the assembled inhabitants of Shechem. "It was in the midst," he says, "of this festive solemnity that a voice was heard from the heights of Gerizim, memorable in the crisis of Shechem, but memorable also in the history of the Church, for it is the first recorded parable." By what train of thought can the Professor have arrived at this idea? Parables once supplied a valuable form of religious teaching to a body of men who may, by a figure of speech, be considered as an ecclesiastical body—the nucleus, at all events, of the Church. Therefore, the antecedent introduction of religious parables is a memorable event. Therefore, the first casual narrative of such a thing must be a memorable event. Therefore, this apologue, which bears a religious application, and which is not supposed by any one to be an unprecedented form of rhetoric, is memorable in the history of the Church. Is this history, or is it church doctrine, or is it Professor Stanley's mixture of the two?

It must be confessed in candour, that whenever the author of these lectures is dealing with a vivid and picturesque incident, or with the special subject of geography, his treatment is objective and historical enough. But even in an excess of picturesqueness there is something which the true student of history should regard as suspicious. Many years ago Dr. Milman, in order to bring the person of Abraham more vividly before the eyes of his readers, called him a Bedouin sheik, and by doing so incurred the displeasure of many excellent people, who considered that it was disrespectful to the Father of the faithful to speak of him by so modern and so very practical a title. The prejudice has now died away, and it is allowed that the more closely we can study Eastern customs, and endeavour to reproduce by their means the habits and appearance of the patriarchs, the better. But this system of historical teaching bids fair at present to monopolize the field to itself. The "Bedouin sheik" school of interpreters, if we may so call them, almost seem to forget that there are many things recorded of early times upon which modern illustration throws no light at all. It is better, perhaps, to be too vivid than to be too obscure; but the constant aiming after "sensation" criticism may lead an historian into even more inaccuracies than the commonplace cloudiness of a sermon. Dr. Stanley has his good sense and considerable knowledge to guard him from signal mistakes of the kind. But we cannot read these lectures without noticing here and there a forced scene-painting which is attractive enough, but more than likely to mislead. Hophni and Phinehas are prototypes of "bloated pluralists;" Ehud's dagger, on the strength of a very obscure word in the Septuagint translation of Scripture, "flashes for an instant" before it closes in the flesh of the king; the story of Ehud and Eglon is a specimen of the "comic vein" of Sacred History. Dr. Stanley is rather fond of a comic rendering. In the same way as Mr. T. Hughes, in his preface to the "Biglow Papers," discovered a rich humour in a scene of the Acts of the Apostles, the Oxford Professor sees a "primitive and racy humour" in every act of Samson's career, not even excepting his death. As far as we can see, he even regards this picturesque method as the only true one. "How," he asks, "would Samson have fared with Milner? To what would Deborah have been reduced in the refined speculations of Neander?" Neither Milner nor Neander correspond to our *beau idéal* of an historian, and Gibbon and Niebuhr have treated far more difficult characters with success. But what, it may be rejoined, would have become of the battle of Lake Regillus, or the scene of Runnymede meadow, in the pages of a modern Professor of ecclesiastical history?

It is, however, with the omissions of this book, and not with its faults of style, that we are chiefly disappointed. One marked peculiarity of Jewish history is that its sources are almost entirely to be looked for in one particular series of national writings. A history of the Jews ought, therefore, to be in a great measure a commentary on the historical parts of the Old Testament. The present work explains a very large number of passages, and hints

* Lectures on the History of the Jewish Church. Part I. Abraham to Samuel. By Arthur Penrhyn Stanley, D.D., Regius Professor of Ecclesiastical History in the University of Oxford, and Canon of Christchurch. With Map and Plans. Murray, 1863.

at the explanation of very many more; but wherever some well known difficulty occurs, some topic upon which every reader would ask for his help who was not studying the books for the first time, Dr. Stanley dexterously evades it. It has often been asked, what is the explanation of the plural name of God, which, as is well known, is followed by a singular verb? The Church of England fixes one particular meaning on the usage, and many others have been proposed, with more or less plausibility. Dr. Stanley's one reference to it is a remark that, "if we may trust the conjecture of one distinguished writer," it betokens a transition from a polytheistic to a monotheistic belief. But the question is, whether we may trust this distinguished writer, in preference to other distinguished writers who say the opposite? It is surely a matter for a serious history to discuss. Again, it is a very interesting question, and one which "the refined speculations of Neander" would probably not have omitted, whether the Israelites were members of the same human family as the Canaanites. The most obvious arguments on the one side are, that the Phoenicians, whose language and religion seem to have prevailed in Canaan, were of Semitic race, and that such names as Melchisedec and Abimelech are undoubtedly Semitic; on the other hand, the ethnological list of the "Beni-Noah," in the tenth chapter of Genesis, a document of unquestionable antiquity, speaks of them as sons of Ham. What does the lecturer say? "To overlook the unity, the comparative unity, between Abraham and the neighbour races of Palestine, would be to overlook one of the most valuable testimonies to the antiquity of the record." In the first place we may remind Dr. Stanley that we do not adopt or reject views according as they seem to prove or disprove the antiquity of the Pentateuch, but according as they seem true or false. But, in the second place, we may ask him whether it is the absolute or the comparative unity that he wishes us to adopt, and, granting that in a later passage he does speak distinctly of the Canaanites as Phoenicians, whether he does not consider that the subject deserves any discussion. Later on, we have the book of Job introduced. It is rather tantalizing to be told that "when, where, and by whom that wonderful book was written, we need not here pause to ask;" because these are the very questions which we *do* pause to ask, when the book is brought forward in the history, and to which we naturally expect a reply. So, again, the author mentions that a certain religious usage separates those portions of the Pentateuch in which the word "Elohim" is used for the Supreme Being from those in which "Jehovah" is so used, with as calm indifference as though he had never heard of the hypothesis, now generally accepted, that the two words indicate the existence of two distinct original documents. "We need not here," he says at another place, "discuss the vexed question of the precise time at which the book of Deuteronomy assumed its present form." Nevertheless, considering that by a great many critics of modern times the book in question is believed to have been written at a later period than the rest of the Pentateuch, the topic would seem a very fit and proper one for discussion, whether the book be chiefly regarded as a narrative of events, or as an expression of the feelings of the Jewish Church.

With all its imperfections, we are almost ashamed of writing thus much in dispraise of Professor Stanley's book. Our excuse must be, that we expected so much from it. But, after all, there is probably no man in England who could have written it so well. If we have been obliged to urge the weak points of the lectures, it is not because we do not anticipate a great amount of good from their publication. In such a passage as the explanation of Deborah's song—though even here the lecturer might have made more use of Dr. Donaldson's ingenious essay—we see how much may be done by a skilful handling of words and apposite geographical detail. Scenic power, ready comparison, a liberal habit of thought, a reverent tone, a polished and graceful style,—to praise these in Dr. Stanley is almost to descend to commonplace. There are few theological writers for whom we feel more respect, and none to whom Biblical criticism in this country owes a greater debt. Since most of those who care for the study of the Old Testament will find out the merits of the work for themselves, it seemed chiefly necessary to point out what we consider its defects. Had the work been less valuable or less important, they might have passed unnoticed. As it is, they serve to remind us that the sacred narrative has yet to find its expounder. Professor Stanley may have some claim to be the Macaulay of Jewish history; he is not, and he is not likely to be, its Grote.

NO NAME.*

THERE are three methods of treating the human character, corresponding to the three principal classes into which the fraternity of novelists may be most appropriately divided. In the first of these classes are to be placed the favoured few whom Nature has gifted with real conceptional genius. They paint not so much what they have seen, as what imaginative intuition enables them to shadow forth from the recesses of their own minds. They form an ideal; and instinct, rather than experience, convinces mankind of its inherent truthfulness. Millions of people have felt Hamlet or Lear to be natural characters, not because they ever saw anybody like them in real life, but because a higher sense than sight is appealed to, and something within bears witness to their reality and consistency throughout. Of this highest order of story-tellers Charlotte Brontë may be accepted as the type. She goes to the

* No Name. By Wilkie Collins. Sampson, Low, & Co., Ludgate-hill. 1862.

very core of her characters, and works gradually outward. Their closest secrets are those she knows the best, and interests us most about. Their outward demeanour, the events of their life, the evolution of the tale, merely concern us as evidencing the process which is going on within. We compare them with nothing but our own consciousness, and unhesitatingly pronounce them to be true. There is a second order, of which Mr. Trollope is just now the most characteristic representative. He is intent on a life-like, external reality; he holds the mirror up, not to nature, but to the exterior of a highly artificial society; he strives that the people in his pages should precisely correspond in language, thought, taste, and behaviour, to the millions of ordinary beings who at the present moment form the population of Great Britain. He catches the last mode, and is never more than a month behind the Paris fashions. He has a great artist to sketch the lace shawls, and artistic bonnets, and undulating dresses, in which his performers go through their parts. The resemblance to contemporaneous life is much more exact than in the former case, and the slightest incongruity catches our eye and provokes criticism. We watch his young ladies and gentlemen with the same scrutinizing exactness that enables us, unhesitatingly, to define the social position of our fellow-guests at a dinner-party. We know, for instance, that the young ladies by no means belong to the cream of society, and lapse occasionally into absolute vulgarisms; and we know this by some one of a hundred tiny tests with which the author has provided us for the purpose of gauging them. Everything depends on resemblance, as the resemblance is one which everybody is able to test; the task of securing and maintaining it is one which few people like Mr. Trollope are clever enough to achieve successfully.

The third class finds its undoubted chief in Mr. Wilkie Collins; here there is neither insight into character, as in the first instance, nor careful imitation of externals, as in the second. On the contrary, the characters are moral monstrosities; not shocking only because they are too monstrous to suggest the idea of their possibility, while the resemblance to real life is the very faintest possible, and only just sufficient to enable author and reader to forget the fictitiousness of the whole. No such beings as Magdalen Vantone, or Captain Wragge, or Mrs. LeCount, ever did or could exist; but they form admirable materials for the sort of superstructure which the author's ingenuity raises upon their characters. They possess in superhuman abundance the precise gifts which are necessary for the complicated, bewildering congeries of improbabilities which, by a thousand clever artifices, are formed into a harmonious and consistent whole. Each of the facts, taken separately, is unlikely; all, taken collectively, are nothing short of impossible; and yet, so cleverly is one piece of the story dovetailed into another, so fortunate are the conjunctures which rescue the whole at the moment when it is falling to pieces, so cogent a chain of circumstantial evidence is drawn around it, that, though we feel it lies outside the pale of belief, it is extremely difficult to lay one's finger on the precise point where the confines of possibility are transgressed, and the common laws of likelihood obtrusively violated. Mr. Wilkie Collins is, then, *par excellence*, a storyteller; everything depends on the interest which attaches to its gradual evolution, and to its crowning *dénouement*. We can say nothing for the characters, but a great deal for the circumstances in which the characters, as each scene shifts, find themselves placed. The action of the piece never ceases, and every detail leads up to the final catastrophe. The story is certainly not profound, but it must be read with the same care as a complicated law case, or the interesting points will be overlooked. The reader's inquisitiveness is constantly excited, as to how in the world some new difficulty is to be surmounted, or some suddenly disclosed danger escaped. Nothing but the most implicit belief in Mr. Wilkie Collins' power to extemporise an expedient, and to make everything come right at last, could enable ordinarily sensitive readers to peruse his volumes with unshaken nerves. We are for ever on the verge of a crash; a look, a word, a piece of riband, a stray envelope, a late train, a talkative maid, or a careless postman—may at any moment tumble the whole fabric to the ground. We hold our breath till the author has safely landed us in the next secure position, and allows us a few moments' rest before another entanglement, another crisis, another stroke of luck, another fortunate escape. Mr. Wilkie Collins has a great command of clever contrivances, by which this sort of thing may be kept going on indefinitely. He manipulates all his puppets with the greatest skill, foresight, and patience; he arranges about flies and post-horses, and express trains, with the mathematical precision and cool-headedness of a practised station-master. One of his characters is driving full gallop to catch the last up-train; if he misses it, all is lost. Another is searching in the enemy's bedroom for a missing piece of evidence; in fifteen minutes the enemy will be back, the evidence hopelessly gone. Another is speeding to the Continent on a false scent, and will be got home within a few hours of a marriage, which there is reason to conceal. A fourth is in full pursuit of a letter, which, if delivered, will be his "ruin." We turn dizzy at the proximity of so many dreadful contingencies and hair-breadth escapes: in the midst of all Mr. Wilkie Collins sits calm, calculating, unruffled, unanxious, and entirely master of the situation. He pulls this string or that, throws the train off the line, lames the post-horses, stops the telegraph, or burns the letter, just as the occasion demands, and once more we escape for some new and still more alarming combination in the next chapter.

All this is, we think, a little overdone in "No Name:" the reader really gets too flurried, and his attention is too hard-worked, to be compatible with artistic enjoyment. We arrive at the close

of the third volume almost as exhausted as at the end of a difficult cross-road railway journey ; there have been half-a-dozen different trains, any mistake in any one of which would have marred our travelling for the day ; the carriage which took us to the station was within a second of being too late ; we have been within a few yards of a collision ; in each train we have unexpectedly met an old acquaintance ; we have several times lost our luggage, and recovered it again by miracle. All is over now ; but one's nerves are shaken, the mind still continues to hope, calculate, prepare for disaster, or devise expedients for success ; our host mercifully dismisses us to bed, and our troubles haunt us in our dreams. The thousands who have devoured "No Name," as it appeared, have probably experienced the same sort of fluttering spirits, nervous anxiety, and weary restlessness.

No amount of mechanical ingenuity would, however, account by itself for the popularity of Mr. Wilkie Collins's works. He has several other important qualifications. He writes an admirable style ; he is thoroughly in earnest in his desire to please ; his humour, though distinctly fashioned on a model Mr. Dickens invented and popularized, is better sustained, and less fantastic and affected than anything which Mr. Dickens has of late years produced. Captain Wragge bears a family resemblance to Mr. Pecksniff, but is extremely entertaining in his voluble, persuasive, respectable rascality. His definition of his trade of swindling as "moral agriculture," and the picture he draws of himself as a "great financial fact," living on the proceeds of a newly-invented pill, and "scouring the field of human indigestion with a triple ploughshare of scammony, aloes, and gamboge," are as good in their way as anything can be. His apology for cheating is characteristically humorous. Is it, he asks, or is it not the duty of a Christian community to help the needy ? "If you say no, you simply shock me, and there's an end of it. If you say yes, then I beg to ask, why am I to blame for making a Christian community do its duty ? . . . What ! your pockets are full and mine are empty, and you refuse to help me ? Sordid wretch ! do you think I will allow you to violate the sacred obligations of morality in my person ? I won't allow you—I say distinctly I won't allow you. These are my principles as a moral agriculturist."

Society has hitherto failed to recognize his claims, but he hopes, like other benefactors of the species, some day to be understood and appreciated :—

"When that day comes, don't drag me out of my grave and give me a public funeral : don't take advantage of my having no voice to raise in my own behalf and insult me by a national statue. No ! do me justice on my tombstone ; dash me off in one masterly sentence, on my epitaph : 'Here lies Wragge, embalmed in the tardy recognition of his species : he ploughed, sowed, and reaped his fellow-creatures, and enlightened posterity congratulates him on the uniform excellence of his crops.'"

Equally good is the picture of Mrs. Wragge, with her wits all astray, her cap awry, one shoe invariably down at heel and the other in the next room, offending her husband's sense of propriety by her habit of falling asleep crooked, and endeavouring to shirk the responsibility of her intellectual shortcomings by the unmetaphysical apology, "Please, sir, it's my head ; it isn't me." Both of these are capital comical characters, and though nobody since Machiavelli was ever so astute as the Captain, nor anybody out of an idiot asylum so foolish as his wife, both serve admirably to relieve the graver portions of the picture. Nature, indeed, is not adhered to any more than society is reflected ; but neither is it in the tragical personages of the drama. On the other hand, we have something racy, cheerful, entertaining ; and, if we cannot give Mr. Wilkie Collins credit for insight into character, or that imitative ability which to a certain degree supplies its place, we may thank him for an entertainment the merits of which high and low are capable of appreciating, and which he has certainly spared no pains in making first-rate of its kind.

MRS. GROTE'S COLLECTED PAPERS.*

MRS. GROTE has published a volume of "Essays and Reviews" of her own, in which a surprising amount and variety of knowledge are skilfully employed to set many important social and historical questions in a clear and interesting light. She is equally at home, equally intelligent and confident, in farming, in art, in literary history, in village politics, the state of parties in France, the claims of labour, and the injustice of marriage. The result is a very agreeable and suggestive book, in which the variety and shortness of the papers, and a genial and vivacious style, prevent the weariness which commonly waits on the reading of miscellanies. We are effectually kept awake by the writer's fearlessness and freedom from conventionality, and we are amused by the heartiness and fulness of her expression. Opponents' arguments are shown to be not merely in a circle, but in a revolving circle ; the young of the criminal population are happily described as the "countless larvae of infant felony ;" and a few pages supply a goodly list of such epithets as "plate-holders," "charity-crusaders," "alms-leviers," "humanity-preachers," "squad of humanity-foragers," and "Dorcas tribe," for those who order others to be charitable. There is something attractive even in the perpetual use throughout these pages of the first person ; it gives an impression of sincerity, and of a wish that the thoughts

* Collected Papers (Original and Reprinted), in Prose and Verse. By Mrs. Grote. London : John Murray. 1862.

should be valued according to the worth of the writer, and not as the utterances of impersonal reason pronouncing *ex cathedra*. Lastly, Mrs. Grote's clear arrangement and power of connecting particular facts with general principles, recall the lucid precision of French scientific writers. She can generalize as fast as she can write ; indeed, her belief in general laws sometimes carries her so far as to forget the necessity of means for their realization.

Mrs. Grote has three especial bugbears : centralization, interference with property, and indissoluble marriage. She makes the parliamentary grants for education the occasion of some good remarks about the first of these :—

"When a nation has come to be pampered by extraordinary facilities of locomotion and intercommunication, and, indeed, by the adequate organization of most of the departments connected with material comfort, the few examples which remain of old systems strike us as intolerably clumsy, and inappropriate to the circumstances of the period. And, at this point of public sentiment, a lively conception of the comparative advantages of centralization lays hold of the imagination, and so gradually allows this principle to take root in our institutions. The spread of this principle in Great Britain I take to be fraught with injurious consequences to the national character ; we are entering upon a changed state of things, wherein, for the sake of escaping the tiresome obligations involved in citizenship, the indolent man accepts the direction of the Executive Government."

In the "Case of the Poor against the Rich," Mrs. Grote states her opinion that foreign critics in general, and M. Léon Faucher in particular, when they condemn as inhuman the attitude of the rich towards the poor in England, show an entire ignorance of what we do for our poor. A great part of their sorrows are beyond our reach, and, for the rest, not only does the Poor-law of 1835 provide against starvation, which is all that law ought to regard, but the amount of private charity is injuriously enormous. Two nostrums, popular with French theorists, are disposed of, namely, a universal system of small holdings of land, and partnership between the employers and their workmen. Mrs. Grote's answer to the second of these is unsatisfactory. She regards it merely as a disguised method of raising wages. Its real object is very different : it is, of course, intended to raise wages, but only by giving the workmen a more intelligent interest in his work and so making the work of more value, to the advantage of both classes. Mrs. Grote regards "le droit de travail" as only another form of "la propriété c'est le vol." Her ideas of the sanctity of property are so absolute that at first sight they seem like a satire. It is "our 'ark of the covenant ;'" and it is laid down as "the especial duty of the higher classes to cultivate this sentiment (respect for property) in their poor dependents." The only remedies for pauperism which are approved are, emigration, and moral training to induce the poor to refrain from marriage and check the increase of population. Even in these Mrs. Grote has not much confidence ; for emigration, she says, benefits only the emigrants and not the mother country, and moral tone cannot be raised before, but only side by side with improvement in physical condition. She is probably wrong in saying that emigration drains the country of its best young blood ; in reality, emigrants are oftener men who have failed to find a place at home, either from restlessness or stupidity, or some similar disqualification. It must be remarked, in conclusion, that if Mrs. Grote's fondness for rigorous demonstration and for laws of Political Economy makes her in this essay appear hard on the poor and deficient in sympathy for their feelings, on the other hand, her account of East Burnham, where she lived for some years, abundantly proves that she both understands and sympathises with them.

A few short poems conclude the volume, from one of which, written in memory of Mendelssohn, we select a few lines, to show the versatility of Mrs. Grote's powers :—

"These ancient groves and solitudes among
Lately a bright celestial Being strayed ;
A brief retreat from out the admiring throng,
He sought and found beneath their leafy shade.

Ah ! Mendelssohn, hadst thou but oftener sought
Calm Nature's presence—hadst thou oftener fled
The incense-offering crowd, and idly caught
The summer breeze to fan thy fevered head—

Haply, e'en now, within its earthly sphere
Had beamed the radiance of thy soul divine ;
And spared had been the unavailing tear,
Which from a thousand eyelids falls with mine."

The last and perhaps the most interesting and characteristic piece is a poem which embodies Mrs. Grote's views on marriage. This is a delicate subject ; but then if—

"The world's male chivalry has perish'd out,
Yet women are knight-errants to the last ;"

and Mrs. Grote attacks it fearlessly. In the ideal state to which her aspirations on this subject seem to be directed—so far as her views of the ideal state can be gathered, from guarded hints and by implication—she agrees, though from a different point of view, with the theories of W. Von Humboldt, and also with many practical though unconscious and nameless philosophers in various parts of the world, but especially in the Polynesian isles, that an indissoluble marriage tie is barbarous and generally undesirable. Mrs. Grote is, indeed, of opinion that there are some cases in which marriage may for a time have its bright side :—

"Haply a pure and justly-kindled flame
At Hymen's shrine a happier lot may claim,
For those who, blest with beauty, health, and grace,
Seek on those gifts a crowning charm to place,
And crave a sanction on their promised bliss."

But, alas !

"E'en here will steal—in destiny like this,
That 'bitter drop,' which, mortal cup without
May never mixed be, and turn to nought
Their glorious inheritance."

And thrice alas ! for those who may chance to be deficient in either, much more in all, of the requisites. Seriously speaking, the opinions held on this subject by a sensible and liberal-minded woman are of the highest value. A question which has been regarded as open, or even settled in the negative by such men as Plato, Rousseau, and Humboldt, cannot be considered as placed beyond discussion, even by the almost universal consent of the western side of the civilized world. Marriage, practically indissoluble, is by far the most important of the cases in which the right of the individual appears to come openly into collision with the good of the greatest number. Mrs. Grote has a strong case, and selects the arguments which are most striking and to the point, and though her statement loses in apparent force by its poetical dress, she is evidently in earnest. The chief blots which are pointed out in the present system of marriage are—the hopelessness of separation, however great the incompatibility of temper ; the powerlessness of the wife to seclude herself even for a time from her husband, whilst he may seclude himself from her, under certain slight penalties, as long and as often as he likes ; the unfairness of the wife's want of control over her property and earnings ; and the demoralizing tendencies of the wife's position, which drives her to deceit, the weapon of the weak, and saps even the wish to be free. The end which the author seems to desire,—a desire rather implied than expressly stated,—is the sanction by custom of merely temporary connections, accompanied, of course, by certain limitations in practice. Meanwhile, in default of merely provisional marriage, two practical means of mitigation are demanded—facility and cheapness of divorce, and the concession to the wife of complete control over her own property. The chief objection to the ideal counsel of perfection is that it is, like other counsels of perfection, wholly unpractical. There cannot be the least chance that temporary connections, acknowledged to be such, will ever supplant marriage. Marriage is too closely bound up with all social order, and the evils of its derangement would be worse than the evils of its abuse. The idea of a husband and wife perfectly independent of each other and able to end their connection at any moment, is rather a metaphysical notion of what the freedom of the individual should be than a possible or practicable plan. In every such union, political or social, the magnitude of the interests which are involved in that union, and the consequent duty of maintaining it, and the right of either side to claim that it shall be maintained, constitute a principle of right which must override the more primary and personal right of the individual to be free in his own way. The right to be free, in fact, ceases to exist, at least in the view of the law, where it is inconsistent with the wider interests of the community and with the vital necessity of order. To take a single instance, such a plan must be wholly inconsistent with the interests and education of the children. But whilst the general recognition and custom of provisional connections, terminable at will, seems to be Mrs. Grote's ideal, she points out, as we have said, two less sweeping remedies for the evils of marriage. As to the desirability of cheap divorce, it may reasonably be contended that public opinion and the stringency of the courts would abundantly suffice to check the abuse of the remedy ; and that is the most practicable means of reforming the injustice of marriage. The second remedy suggested is equally obvious. The common objection, that the husband's influence and the wife's weakness would still, in the great majority of cases, give to him hardly less absolute control over her property than he now has, is fairly met. "Law takes no cognizance of folly and weakness. If it was not thought right to interdict Mr. Wyndham from exercising absolute control over *his* property, although for foolish, vicious, and discreditable purposes, neither ought the law to prevent a woman from committing the folly of bringing herself to want in order to please a spendthrift husband. But if women were brought up to deal with money matters and to comprehend 'business,' they would acquire more solid habits of mind and firmness of character, and their property would not lightly be sacrificed to a misplaced sentiment." But the probable efficiency of this remedy is greatly overstated : in the vast majority of cases it could have no place whatever. Right of control over their own property and earnings would be of small practical benefit to that large class of wives who have no property at all, or only a very little, and who, on the most liberal interpretation of the word "earnings," cannot be said to do marketable work enough to pay for their living. Nor, to turn to a minor point, can we share Mrs. Grote's indignation at the fact that law compels women—

"To frame
A fiction and contrivance, would they hold
A portion only of their rightful gold."

Men are not accustomed to attach any ignominy to the use of legal fictions. Mrs. Grote's grounds of hope that these two checks will at some future time come into play to redress the balance of the sexes are twofold. The first is, the augmenting impatience and clamour of women, which will storm the conscience of society ; the second is, that men become daily more sensitive to the annoyance of seeing those around them in a state of distress, and that it is possible for women, by keeping themselves in a perpetual attitude of grievance, and their husbands in consequent perpetual discomfort, to induce those unjust judges to get out of bed and buy them off. Wives are "not to bate one jot," whatever may be the import

of this awful and mysterious threat, until they are satisfied and the laws of marriage are revised. Mrs. Grote's suggestions are practical, and, if they were not, free discussion of customs, however firmly fixed, must have the good effect of preventing them becoming indurated, and of making more intelligible the grounds on which they rest. It must be remembered that the ideal change to which she aspires is not urged as a practical measure, on the ground that it is unlikely "to find favour with English thought and feeling."

We know no recent volume of miscellanies which is more pleasant reading or more suggestive than this. There is the ever-present stimulus of great questions treated so as at any rate to bring out their importance and their bearing on the times ; and if they are not brought comfortably to a satisfactory conclusion, that is because they are questions which have as yet attained only half their development, and are incapable of a present solution. Above all, the style is lively, and rises to its subject, and we rejoice in the absence of all nonsense, of sentiment, and of woman's mission.

CLUBS FOR WORKING MEN.*

A VERY useful movement, which for some time back has been carried on in a quiet, unobtrusive way in shy nooks and corners of London and other large cities, has just received the patronage of an influential Union, with the indefatigable Lord Brougham as president, and Lord Lyttelton, the City Recorder, Mr. Layard, M.P., Dr. Guthrie, Professor Scott, of Owen's College, &c., among its members. The object of this movement is to establish clubhouses for working-men. Unfortunately, this class has been, of late years, the object of so much fussy and futile philanthropy ; has been viewed, in regard to its condition and wants, in so ideal a light ; and has been so absurdly provided with things for which it could have no more use than tropical savages for great-coats and flannel drawers, that it is not easy to excite public interest in any new scheme for its benefit. The present effort, however, is of a very different stamp from many which have preceded it. It is exceedingly plain and practical in design, does not aim too high, and requires no complex or costly machinery to set it in motion. It is certainly somewhat inconsistent, that while clubs abound for the use of those who already possess snug, luxurious homes, the necessity should have been overlooked of providing similar accommodation for those who stand so much more in need of it, on account of the discomfort of their dwellings. The average labouring man is not a very sensitive or impatient creature ; but it is no wonder if his squalid over-crowded lodging, fretful wife, and squalling children, become, at times, rather unbearable, and drive him to seek comfort in the public-house. He has not much leisure after his day's work is done, but yet he is rather at a loss how to spend it. Even if reading be other than a sore task to him, he is too tired to enjoy it, and has, besides, no literature at hand. His wife is probably a poor conversationist, and can only discourse about domestic difficulties. It is less for the sake of the drink than of society that he goes to the tap-room ; but when there he feels bound to "do something for the good of the house," and it is easy to guess in what a mood he often returns home. On every side the working-man is driven to the public-house : his very industry, foresight, and charity, lead him thither ; for it is the headquarters of his Friendly Society, and the house of call for his trade. Mr. Tidd Pratt, in his reports on Friendly Societies, is constantly reiterating that the holding of these societies at a public-house is the frequent cause of their failure. He found, for instance, that last year the number of societies enrolled and certified in Herefordshire since 1793 was 136, of which 123 were held at public-houses, and only 13 in schools or private rooms ; of the former, no less than 42 had been broken up, while of the latter only one had failed. What else could be expected, when we learn that, in cases where the annual contribution is 15s. a head, 6s. additional is often spent in liquor ; and that at one club in Southampton, comprising 120 members, 258 gallons were consumed in three years ?

Hitherto the plans which have been set on foot to provide working-men with an escape from the beer-shop, have been pitched rather too high. As a rule, Mechanics' Institutes have long ceased to deserve that title, because they are frequented not by mechanics, but by clerks and shopkeepers. The Temperance Rooms are cheerless and forbidding. The Working Men's Colleges are for the choice, aspiring spirits, and are "caviare to the general." A place of meeting more genial and familiar than the Temperance Room, less ambitious than the College, is now proffered by the Union of which we are speaking. It seeks "to provide a club or institute, as members of which the working-men of the neighbourhood can enjoy rational, social intercourse with each other, coupled with opportunities for mental improvement, recreation, and mutual helpfulness ; and, further, to give them facilities for carrying on various plans of social improvement, such as Co-operative Societies, Friendly or Benefit Clubs, Mental Improvement Societies, Building Societies, and the like, in the prosecution of which working-men are at present often obliged to resort to public-houses for the mere want of better meeting-places." It may be said that such clubs will tempt men to desert too often their own firesides, but we must remember that it is not a question between home and the club, but between the club and the "Pig and Whistle," and it requires no argument to prove which is most likely to be attended

* Suggestions for the Formation and Management of Working Men's Clubs and Institutes. London: issued by the Working Men's Club and Institute Union, 150,

with domestic benefit. "This is not the place," says the Union in its tract, "for enlarging on the beneficial effects of such a society in promoting the comfort and improvement of a man's home, in making him a better husband, father, or brother. It ought to be, and if wisely managed will be, full of blessings to that family club which gathers round the domestic hearth, and which should always have the first claims on a man's consideration."

The Union can add with truth, "these are no mere visionary ideas," for they have already been reduced to practice, with most beneficial results, in Westminster, Notting Hill, Paddington, Norwood, East London, Shrewsbury, Leeds, Carlisle, Southampton, &c. A better instance cannot be cited of the excellent results attending these clubs than is offered by the history of one which was established, in 1860, in Duck-lane, Westminster. This quarter of the city does not enjoy a very enviable reputation. The name of the Devil's Acre, which it once earned, still clings to it, and though much has been done of late years to eradicate the hot-beds of disease and crime which used to flourish here, it is still the haunt of an irregular and undisciplined population. Altogether, therefore, Duck-lane does not seem a very promising site for a sober, decorous, and improving club; yet the most complete success has attended the experiment. At first, the club was held in a single room, fitted up with deal tables, benches, and gas-lights; but the members increased so rapidly that another apartment had soon to be added. In the first room coffee is supplied, eatables and tobacco being brought by any who want them; but in the other rooms the members have, of their own accord, interdicted all eating and drinking, as they say it disturbs them. There is a small library, and a number of periodicals are taken in. Instructive and amusing lectures are given once a fortnight, and a simple religious service is held every Sunday. The club is open daily from 6 to 10 P.M., on payment of a halfpenny a week, and already it is almost self-supporting. Upwards of 2,900 subscriptions were taken out in 1861, and last year the attendance has been fully maintained. A similar institution has been established, with no less satisfactory results, in another "shy" quarter of London—Clare-market. At Southampton, a Club has rivalled the public-house in one of its most attractive features. "We were often told," says one of the managers, "that no one could play at skittles without beer. We resolved to test the assertion, and the result so far is, that while our skittle-alley is thronged every evening, those of the public-houses around are almost deserted, and our players are as noted for good words and good temper as most others are for the contrary."

An admirable feature in most of the clubs hitherto established is, that they are left to the management of the members, who are real working-men, and understand exactly what sort of regulations they and their fellows will endure and what sort of entertainment they require. Except at the starting, no extraneous aid is required; and all that the Union now formed seeks to do is, to encourage the establishment of clubs by disseminating the necessary information, and making occasional grants or loans, either in the shape of books or money. All who have the interest of working-men at heart will surely wish it success and second its endeavours.

BOOKS RECEIVED.

David Elginbrod. By George Macdonald, M.A., Author of "Within and Without," and "Phantastes." 3 vols. Hurst and Blackett.—The Neapolitan Earthquake of 1857, and First Principles of Observational Seismology. By Robert Mallet, C.E. 2 vols. Chapman and Hall.—The Museum: a Quarterly Magazine of Education, Literature, and Science. Vol. II. E. Stanford: Simpkin, Marshall, and Co.—The Student's Guide to the University of Cambridge. Bell and Daldy.—The Home and Foreign Review. January, 1863. Williams & Norgate.—Lectures to the Dublin Young Men's Christian Association. Dublin: Hodges, Smith, & Co.—Lower Brittany and the Bible There: its Priests and People. Also Notes on Religious and Civil Liberty in France. By James Bromfield. Longmans.—The Handbook of Family Devotion. Translated from the German of Heinrich Zschokke. Simpkin, Marshall, & Co.—The British Quarterly Review. January. Jackson, Walford, & Hodder.—Tales and Sketches of Lancashire Life. By Benjamin Brierley. Vol. II. Simpkin, Marshall, & Co.—The London Quarterly Review. January. H. J. Tresidder.—The Mystery of Money Explained, and Illustrated by the Monetary History of England from the Norman Conquest to the Present Time. Walton & Maberly.—The History and Pleasant Chronicle of Little Jehan de Saintre, and the Lady of the Fair Cousins. Together with the Book of the Knight of the Tower, Landry. Both done into English by Alexander Vance. Chapman & Hall.—Ethnology and Phrenology as an Aid to the Historian. By J. W. Jackson. Trübner & Co.—The Story of a Siberian Exile. By M. Rufin Pietrowski. Longmans.—Poems in the Dorset Dialect. By William Barnes. Third edition. J. R. Smith.—Punch for 1852. New edition of Vol. XXII. Bradbury & Evans.

ART AND SCIENCE.

THE CHORALE BOOK FOR ENGLAND.*

COLLECTIONS of psalm and hymn tunes are almost as plentiful as diaries and journals of travel. As the majority of tourists think it incumbent on them to give the world a record of their holiday rambles, so nearly every parish organist seems impelled to publish his "collection of psalm and hymn tunes;" in many cases only levying contributions on the congregations for whose use these "collections" profess to be compiled. With such a mass of stereotyped mediocrity, it is gratifying to find two such distinguished musicians as Professor Sterndale Bennett and Mr. Otto Goldschmidt co-operating in a work which deserves to take high rank as a standard collection of Church

tunes, admirable alike in selection and arrangement. Congregational psalm-singing, so generally practised for some time after the Reformation, has, for many years past, fallen into great neglect in the Established Church, so that it is common to hear that musical portion of our Church service, which should be the united expression of the general voice, left almost entirely to the performance of charity children, who can scarcely be qualified, either vocally or intellectually, to fulfil the mandate, "Sing ye praises with understanding." Despite the efforts which have been made by various systems of class-teaching, to induce a more general co-operation in congregational singing, our Church service, in this respect, still offers much room for improvement. Some of the dissenting bodies have shown that such "loud uplifting of the universal voice" is still attainable, by earnest zeal in its constant practice. It must, however, be admitted, that many of their tunes are of a character far beneath the dignity of the purpose to which they are applied. We have heard of the saying of an eminent dissenting divine, that "he did not see why the devil should have all the good tunes." On this theory all sorts of secular tunes became impressed into religious service, until it was no uncommon thing to hear such strains as "Rousseau's Dream," or "Cherry ripe," allied to texts of the most solemn and sacred character. As Mrs. Ford says, "They do no more adhere and keep place together than the Hundredth Psalm to the tune of 'Green Sleeves.'" Nor has this distortion of secular tunes to sacred uses been confined to the Dissenters—for many years past, the psalmody of the Established Church has been vitiated by a large infusion of melodies which have even less analogy with religious sentiment than the incongruous association just quoted from Shakespeare.

It may be urged that some few even of the grand old orthodox Church tunes were originally derived from secular airs. On this subject the editors of the "Chorale Book" say, "It speaks well for the character of the secular music of that period, that any of its melodies should have taken a place in the Church, which they have retained undisputed to the present day." Our own impression, however, is that if we could trace these originals still further back, we should find that they were themselves popular adaptations of Gregorian or Ambrosian tunes of the Romish Church. It must be borne in mind that at that period there was little, if any, distinction of style between the music of the Church and that of the people. Music, as an art, owed its origin and cultivation entirely to the Church; and even the madrigals and love-songs of the early part of the sixteenth century bear the distinct impress of the Church style. It was reserved for the later development of the opera, and the consequent free expression of human sentiment and passion in stage music, to place a distinct and lasting barrier between the music of religious worship and that of the outer world. The results of this change may be seen in exaggerated force in the music of the Italian Church. During the sixteenth and seventeenth centuries, Italian Church music realized all that is sublime and earnest in religious expression, and chaste and learned in construction. It gave the laws to musical Europe—it furnished the models on which such composers as Bach and Handel were formed. Look at it now! It exists but in the past. The encroachments of a secular and frivolous style, unchecked by any power from within the Church itself, have destroyed what was once a school of art worthy of the country of Raffaelle and of Michael Angelo. The truth is that there must be as wide a distinction preserved between the sacred and secular styles in music, as that which ought to distinguish ecclesiastical from domestic architecture. While the temple of God should be a structure worthy of His worship, the language (musical or otherwise) in which we address the Deity, should be far above the commonplace of life. As already indicated, the music of the English Church, especially its psalmody (with which we are now chiefly concerned), has been for many years undergoing various processes of deterioration and secularization. The appearance, therefore, of a work of so wholesome and sound a character as the "Chorale Book," is worthy of special recognition.

It was the Lutheran chorale which first embodied the expression of sublime and devotional feeling in congregational music. Whereas, in the Romish Church, the musical service was chiefly a performance to which the worshipper listened inactively: the early Protestants largely advocated and encouraged congregational singing. They seem to have thought, Luther especially, with a quaint old writer, that "when Christians sing all together in some easy tune, accommodated to the words of their praise, and not likely to take off their attention from sense to sound, then experience shows they sing most lustily (as the Psalmist expresses it), and with the best good courage. The symphony of voice and the sympathy of heart may flow through the whole congregation, which is the finest music to truly serious persons and the most acceptable to God of any in the world." This opinion will be shared by all who have heard in the vast churches of Germany the grand old chorales sung in unison by the whole congregation to the accompaniment of a large organ—it is the highest and purest expression of the combined religious feeling of a multitude of worshippers. Those who have not heard them in the churches of Germany can scarcely fail to have noticed in Mendelssohn's oratorio, "St. Paul," the sublime effect of "Sleepers, wake," which is, in fact, the Lutheran

* The Chorale Book for England: a Complete Hymn-book for Public and Private Worship. The Hymns translated by Catherine Winkworth; the Tunes compiled and edited by William Sterndale Bennett, Professor of Music in the University of Cambridge; and by Otto Goldschmidt. Longman & Co.

chorale, "Wachet auf." The symphony of brass instruments at the end of each strain represents the little interlude (*Zwischen-Spiel*) which the German organists are accustomed to play at the close of each musical phrase; the object of such interpolations being to give breathing time to the singers after the exhaustion of the long-sustained notes of the tune. Again, Meyerbeer, in his opera, "Les Huguenots," has made frequent use of the chorale, "Ein festes Burg ist unser Gott," a tune which was for many years the watchword of religious freedom in Germany.

The Lutheran chorales, collected (and in some instances composed) by Luther himself, formed the models on which many of our early English Church melodies were framed; and in proportion as this high and pure standard has been departed from, the sublimity and propriety of English psalmody have been lost sight of. It is therefore with much satisfaction that we welcome the appearance of the "Chorale-Book," as a collection of some of the grandest and purest old tunes associated with religious purposes. The work before us professes to be "a complete hymn-book for public and private worship in accordance with the services and festivals of the Church of England." The hymns, translated from the "Lyra Germanica" and other sources, by Miss Catherine Winkworth, are classified according to the various occasions for which they are adapted. The translator tells us, in her preface, that whereas her former well-known publication "was intended chiefly for use as a work of private devotion, the 'English Chorale-Book' is intended primarily for use in united worship in the Church and family, as also in meetings for the practice of church-music." Our present purpose is, however, with the musical portion of the work. The editors, in a carefully-written preface, explain that, although intended and adapted for English use, the book is so especially a collection of German hymnology that they have "abstained, with one exception, from inserting either hymns or tunes of English origin." The preface gives a well-digested sketch of the history of German hymnology; and in a carefully-compiled index of tunes, dates and references to numerous old collections are copiously given. Especially commendable is their hesitation to fix the authorship of tunes which have hitherto been, with the recklessness of ignorance, most erroneously attributed. The editors seem to be fully aware that, in old collections of psalm and hymn tunes, the name affixed to the tune more frequently signifies that merely of the arranger or harmonizer than of the composer or author of the tune itself. Thus the English tune called "York," having the name of John Milton attached to it in Ravenscroft's Collection (1621), has been almost invariably accepted as the composition of the poet's father, notwithstanding the appearance of the same melody, in the same collection, with the name (unpoetical antithesis!) of Simon Stubbs,—the probability being that the tunes in both cases are merely arrangements. In like manner, the tune known here as the "Old Hundredth," after being attributed to various authors, has been confidently set down as the composition of Claude Goudimel, because coupled with his name in an early collection of psalm tunes. The fact is, that some of these old tunes are as difficult to trace to their origin as national legends and traditions; and the most that a conscientious editor can do is to give all the known dates and authorities on the subject, and leave the question as he finds it, conjectural and doubtful. This has been done by the editors of the present work, in the few cases where positive knowledge seems impossible; while, in most other instances, the authorship is determined on what appears to be indisputable authority. The "Chorale Book" contains upwards of a hundred church melodies, very purely harmonized in four parts—the tunes, of course, being given to the treble or upper part according to modern usage; the ancient practice of assigning the melody to the tenor having long been discontinued. This work, viewed in its musical aspect, is likely to cause a healthy reaction in English psalmody.

There has been but little novelty in the musical performances of the past few weeks. As usual at Christmas, the "Messiah" has been given in various localities. Mr. G. W. Martin's National Choral Society has greatly enhanced its reputation by a very praiseworthy performance (at Exeter Hall) of "Judas Maccabeus"—a performance so successful and attractive as to be repeated on Wednesday last,—when Mr. Sims Reeves was singing his best—his rendering of the great airs "Call forth thy pow'r's" and "Sound an alarm" being magnificent specimens of musical declamation. Mr. Martin's choir has been for some time steadily progressing in strength and efficiency, and has now fairly taken its place as one of the musical institutions of London. The "Creation" is announced for performance by this society on February 4th.

Other signs of musical activity are now becoming apparent. The Popular Concerts are to be resumed on Monday next. The first concert (of the season) of Mr. Henry Leslie's choir is announced for the following Wednesday; and the Sacred Harmonic Society are to give Mendelssohn's "Athalia" and Mozart's Requiem on Friday.

Mr. Balfe's new opera for Covent Garden is reported to be partly in rehearsal; the title is said to be "Marie Tudor." Mr. Vincent Wallace is in Paris, completing an opera for the same theatre.

La Presse has just published a letter from Alexander Dumas on the production at the theatre of San Carlo (Naples) of Auber's "La Muette

de Portici" (Masaniello). Dumas begins his communication thus:—"If Garibaldi had not, one fine morning, conceived the happy idea of dethroning the King of Naples, and had not successfully carried out this idea, the public of San Carlo would have been ignorant to this day that there exists a score of 'La Muette de Portici' and a *maestro* named Auber." The living dramatist's jealousy of his deceased rival peeps out in his incidental remark that the libretto "is, like all that Scribe did, mediocre in invention and vulgar in execution." Defective as the book of "Masaniello" undoubtedly is, this sweeping censure of Scribe will scarcely be agreed to by those who are acquainted with such comedies as "La Camaraderie," "Le Verre d'Eau," and "Bertrand et Raton," and his opera books of "Le Domino Noir," "Les Diamants de la Couronne," and others. M. Dumas records the complete success of the music, and is loud in praise of Signor Armandi (the Masaniello) both as an actor and singer. The passages bearing on revolutionary principles were enthusiastically received. "La Muette" is to be revived at the Paris Grand Opera about the end of this month.

M. Louis Romani, of Milan, has recently published a history of the Theatre of La Scala, from its opening in 1778—a book that should contain much interesting matter relating to Italian musical history.

CONTEMPORARY SCIENCE.

Mr. Max Müller's recent work on languages has formed, for some time past, a prolific source of learned discussions; and during the last week, at the Philological Society, some of that gentleman's opinions have received rather severe handling in a paper by Mr. T. Hewitt Key, the Professor of Comparative Grammar at University College,— "Sanskrit as the basis of Philological Science, and the labours of the German school in that field—are they not overvalued?" Attention was first drawn to the theory of Prof. Max Müller (History of Sanskrit Literature, p. 507), that when Pāṇini composed his great work on grammar, in the middle of the fourth century B.C. (pp. 245, 301, &c.), the art of writing was yet unknown to him, so that the human memory must then have been capacious enough to retain not merely the Vedic hymns and the vast mass of Brahmanic literature, but a whole library of successive races of grammarians who preceded Pāṇini; and this at a time when every branch of letters was already flourishing in Greece! A second theory of the Professor's was then discussed, that which infers an extensive use of Sanskrit in the Indian peninsula so early as Solomon, from the sole evidence of the Hebrew names for the imported ape, peacock, ivory, and sandal-wood. These names he asserts to be clearly of Sanskrit origin; but it is contended without sufficient reason. Thus, to take one specimen—not the least plausible of the four—the theory assumes that *valyuka*, the Sanskrit for "sandal-wood," first lost its initial *v* and final *ka*, then assuming an *m*, became *almug*; and finally, by the transmutation of *gum* to *mug*, attained the exact form which appears in the Hebrew, *almug* (Lectures on the Science of Language, pp. 204-5). The rest of the paper dealt with separate etymologies deemed unsatisfactory, though sanctioned by Indian authorities and the Bopp school of Philology. Thus Prof. M. Müller, ever hostile to the Onomatopœia, or as he, by way of disparagement, would call it, the Bow-Wow theory, refuses to see in the various names of the "crow or raven," Sanskrit *kṛava*, Latin *cor(o)uo*, English *c(o)row*, the sound *cor* as indicative of the bird's note; and would fain derive it (ib. p. 369) either from the Sanskrit verb *ru* of "general predicable power,"—denoting any sound whatever, and so, *a priori*, applicable, as he himself says, "to the nightingale as well as to the raven," and actually used for "the murmuring of rivers, the barking of dogs, or the moaning of cows,"—or else from the Sanskrit substantive *kṛu*, "a singer," two etymologies which were thought wholly unsatisfactory, the latter as ludicrously inapplicable in respect of meaning, the former as being, to use legal language, void for uncertainty. The same objection of excess of generality was deemed valid against other derivations from various Sanskrit verbs meaning simply "to go," which are put forward by Oriental scholars, as our own *cow*, and Sanskrit *go* (*gau*), "steer or cow," from Sanskrit *ga*, "to go;" *yā*, and *yn*, "earth," from the same verb *ga*, "to go;" Sanskrit *gma*, "earth," from *gam*, "to go;" our own *earth*, ultimately from *ri*, "to go;" Sanskrit *saras*, "water," from *sri*, "to go," *salila*, "water," from *sal*, "to go;" the Ganges itself from a reduplicated *ga*, and so signifying "go-go;" our own *serpent*, ultimately from *sri*, "to go;" the German *schlange*, of like power, from *srang*, "to go;" our *worm*, through *krimi*, from *kram*, "to go;" and lastly, for words denoting time, as our *year*, either with Bopp from *yā*, "to go," or with Lassen from *īr*, "to go;" and, Latin *aevum*, from *i*, "to go," &c. The paper is to be continued on Friday the 18th, and will then more particularly deal with Bopp's great work, the *Vergleichende Grammatik*.

The old wooden tanks lined with lead, so common a few years since in our houses, are fast being superseded by cisterns made of slate, and others of wrought, cast, and galvanized iron. To the slate cisterns no objection can be raised, except the placing them uncovered on the tops of houses, as is very often the case, and where dirt, leaves, and vermin will intrude, and the coniferous growth of vegetable matter take place, to the detriment of the water and the prejudice of those who drink it. Galvanized iron tanks are thought to be very cleanly, but it is doubtful if their use is altogether to be approved. The zinc with which they are galvanized must form salts soluble in the water, and which will have a tendency to produce various disagreeable and unhealthy effects. Moreover, it is very little use to take care of the tank if we do not take care of the pipes which supply it. These are usually of lead, with copper connections. There will be mutual actions and reactions of the salts of copper, zinc, and lead upon each other, the pipes, and the metal tanks; but the combined attack of the total result will infallibly be made upon the human system; and a little investigation would prove how very many slight and how many serious diseases have their origin in such contaminated water. It is better,

however, to have the tank at the top than at the bottom of the house; for in the latter situation, in large towns, a thin film of mucous animal matter will be commonly found on the surface—a prolific source of cutaneous eruptions and blotches.

But the worst position of all for a supply-tank is where, from want of connection with the general water and drainage pipes in a house, they are too commonly placed; and then, indeed, the water, becoming impregnated with the particles of decomposing animal matter, becomes a prolific source of morbid affections, gastric fever, and erysipelas. Nothing is of more importance to health than the purity of the water used in beverages and domestic culinary operations, and very good results would accrue from the habitual use of slate tanks, and the application of large filtering compartments, filled with sharp sand, from which all the water required for drinking or cooking purposes should be drawn.

A new Society—the Anthropological—has been founded under the Presidency of Dr. Hunt, and Capt. R. Burton and Sir C. Nicholson, Vice-Presidents. Its objects are to study man in all his leading aspects, physical, mental, and historical; to investigate the laws of his origin and progress; to ascertain his place in nature and his relations to the inferior forms of life. In short, to take up in a fair and unbiased spirit the investigation of one of the great exciting topics of the time. In the provisional council the appointments seem to have been made more with a view to obtain an efficient working body than with any wish for titled patronage. The purpose is work to be done, and works to be published. A quarterly journal will be published, which will give the subjects of the papers read at the meetings, and a volume of transactions and a volume of translations of important foreign books and papers will also be printed annually.

Mr. Coxwell has been lecturing on Balloons at the Tottenham Institution. It was not likely he would omit the memorable high ascent—nor did he; and although every one is now familiar with its main features, his description was not devoid of novelty or freshness. It is the first time he has described his own conduct on that occasion. The best comment that can be made on Mr. Coxwell's presence of mind, is the fact of the rapidity with which, while Mr. Glaisher was unconscious, he brought down the balloon to a lower level more congenial to human existence. Nineteen thousand feet were thus descended in nine minutes, when the balloon's further progress was arrested by a discharge of ballast.

During the past year a book entitled "Facsimiles of Certain Portions of the Gospel of St. Matthew, and of the Epistles of St. James and Jude," were published by Mr. Joseph Mayer, of Liverpool. The validity of the originals of this work has been a topic of great discussion for some time past; and on Wednesday, at the Royal Society of Literature, the Papyri themselves, which belong to Mr. Mayer, and were deciphered by M. Simonides, were exhibited, together with the equally celebrated "Utanius."

M. Simonides was present, and a number of the questions which have been raised respecting them were boldly discussed, chiefly the general nature of the writings and the material on which they were written, the result being an agreement that these documents should be laid on the Society's table for two days under the care of Mr. Thos. Wright and M. Simonides, for the inspection of learned men and others who might wish to see them.

At the Entomological Society an interesting exhibition was made by Professor Westwood, of a large tough pouch-like nest from Africa of some gregarious Lepidopterous larvae suspended from the branch of a tree, and of the leaves of various plants mined by various larvae of the same class, mounted on glass to show the miners inside, and the shape and peculiarities of their workings. Amongst the other numerous exhibitions was a Trichopterous insect new to this country—*Limnephilus nobilis* (Kolenati).

At the Geologists' Association a discourse was delivered by Mr. Carter Blake, "On the Fossil Animals of South America." The great extinct mammalia, of the New World, were brought into comparison with their European contemporaries. These remains are from deposits of Pliocene age, equivalent, perhaps, to our entire Mammalian era, for as yet we have no decisive knowledge of any division by an intermediate glacial period, as occurs in Europe.

C O R R E S P O N D E N C E.

To the Editor of "The London Review."

SIR,—I observe that in your last number I am charged with having dealt unfairly with M. Hautefeuille and Dr. Phillimore, in some letters I have recently addressed to the *Times* newspaper, by misquoting their opinions. I am not in the habit of noticing merely argumentative attacks, which do not seem to me deserving of a reply. This imputation of deliberate bad faith is a different matter. I have no fear that any one who has taken the trouble to look into the works in question, which your contributor does not appear to have done, will for a moment imagine that there is the slightest foundation for such a charge. As all your readers, however, may not have had that opportunity, I think it right to correct the serious errors of fact into which you have fallen.

You say, that M. Hautefeuille treats international questions under two heads, first, that of the "primary or divine law;" secondly, that of the "secondary law." You say that by the first M. Hautefeuille means the "dictates of international morality," and by the second the "customary usages of positive international law." It would not be difficult, if it were worth while, to show that M. Hautefeuille does not mean anything of the sort. But perhaps when an author, as Pope says, "does not mean, but only blunders round a meaning," it is of little use discussing that which does not really mean anything at all. For the sake of argument, I am willing to accept your interpretation

of M. Hautefeuille's cant phraseology; the material point as regards the vindication of my good faith in the representation of M. Hautefeuille's opinion is, that he distinctly asserts that neutral trade in contraband within the neutral territory is prohibited not only by the "primary and divine law," but also by the "secondary law," which you interpret to mean the "customary and positive international law." He expends several pages in proving that Lampredi's statement, that the "secondary law" does not prohibit such a trade is an "error." Vol. ii. pp. 168—171. At the conclusion of the chapter, after stating his view of the "primary law," he says expressly, "la loi secondaire n'a rien changé, n'a rien modifié à cette disposition;" i.e., that the primary and the secondary law, jointly and severally, prohibit such a traffic.

I do not object at all to a man putting forth the opinion that it is contrary to the "primary divine law" to assert that a grant to a man and his heirs conveys an estate in fee simple, if he can get anybody to attend to him. But if he proceeds to argue and to assert that the law of England does not lay down the contrary, I take the liberty of protesting against the statement, and of pointing out that such a writer is not a safe authority on conveyancing.

If M. Hautefeuille had contented himself with stating the clear law of nations as it is, and had then given his reasons for thinking that that law was founded on erroneous principles and ought to be reformed, such a mode of treating the subject would have been quite unobjectionable. But instead of this, he distinctly states the law to be as he thinks it ought to be, which happens to be precisely the reverse of what it is. If, as you say, this was intended by M. Hautefeuille as merely a "theoretical" proposition, permit me to ask in what page of his three big volumes, on the rights and duties of neutral nations, is the actual law and practical rule on this subject to be found; and if so material a point is wholly absent, what is the value of such a treatise as a guide to international law?

You say M. Hautefeuille "does not inculcate on the neutral government the duty of preventing its subjects from selling in its territory muniments of war to a belligerent." Does he not? He says that such a traffic is unlawful and prohibited. He adds that the neutral nation whose subjects engage in such a traffic incurs the liability of a just war. And this is not to inculcate on the neutral government the duty of preventing such a traffic! If that be so I have wholly failed to apprehend the first duty of a Government towards its subjects. I had always imagined that there was none more paramount than that of protecting its innocent inhabitants from the just retribution which the acts of guilty subjects, if not placed under proper restraint, might bring down upon them. I suspect that if the doctrine of M. Hautefeuille ever obtained any credit amongst nations, a feeble neutral would very soon have this duty "inculcated" upon it by a powerful belligerent in a manner which would prove anything but "theoretical."

Now one word as to Dr. Phillimore. I have never disputed that his work is "to a degree honest and laborious." Its defects are of a kind with which integrity and industry have nothing to do. I have not complained of want of diligence in the collection of materials, but of failure in that discrimination which is requisite to employ them with effect. But it is your contributor, and not I, who have misquoted Dr. Phillimore. You say, that what with M. Hautefeuille is the "primary divine law," is, with Dr. Phillimore, the "principle of universal justice." Now the favourite implement of Dr. Phillimore is not the "principle of universal justice," but the principle of "eternal justice." Whether "eternal justice" is the same thing or a different thing from "universal justice," or wherein they are distinguished from the justice of ordinary mortals, or whether, in fact, they either, or both of them, mean anything at all, I don't exactly determine. I do not go quite so far as a learned friend of mine, who said that, as far as he could perceive, "eternal justice" was only a fine name for "infernal nonsense." But I think in this matter, I may retort upon you the remark that, "at all events the author is entitled to have his opinion fairly quoted." Dr. Phillimore has a clear right to the epithet he prefers, and, on the whole, as Mr. Weller observes, "eternal" is perhaps "the more tenderer word" of the two. Your contributor has wholly misapprehended the scope of Lord Redesdale's remarks. If he had practised at the Equity Bar, he would have found that neither Lord Redesdale, nor any of his successors, would have listened with much patience to an argument founded on the principles either of "eternal" or of "universal" justice against a well-established and firmly-settled rule of law.

No man who reads the passage of Dr. Phillimore's work, to which I referred, with candour and attention, can doubt for an instant that he intends to lay down the actual and practical rule established by the balance of the authorities, and not to hazard a mere speculative opinion. I venture to ask, as in the case of M. Hautefeuille, if this is intended only for theory, in what part of a work professing to treat of the actual law of nations, is the practical rule to be found? You say that Dr. Phillimore's opinion is not intended to "refer to the practices of war as they are." Is it not? Then, what is the meaning of the passage about Belgium, to which in my letter I expressly referred? He says, as an argument against the rule for which I have contended,

that if it were admitted, "Belgium, bound by the very charter of her national existence to a perpetual neutrality, might allow Russia, during the present war, to purchase any amount of ammunition and military stores, without any infraction of neutrality." It is no justification for this unfortunate illustration, that it is copied out of the very flimsy work of the French Commentators on Valin. Not only might Belgium have done what Dr. Phillimore suggests it is impossible she could have been permitted to do, but she actually did it all through the Russian war. Liège was practically the armoury of Russia. Does anybody doubt that if the law, as laid down by M. Hautefeuille and Dr. Phillimore, had been well founded, England and France would have "inculcated" on the Belgian Government, if necessary, by an English fleet in the Scheldt and a French army on the frontier, the "duty" of prohibiting such a trade?

I am glad that your contributor, in the attack he has made upon me, has not thought fit to attempt to controvert the positions I have laid down, or to sustain the propriety even of the "theoretical" view of the writers, whose cause, as it seems to me, he has somewhat injudiciously espoused. Your contributor admits that the rule which M. Hautefeuille and Dr. Phillimore seek to invalidate, is "fixed upon a very reasonable basis," and that the doctrine which they have deduced from the "primary divine law" and the "principles of eternal justice," is "hard in principle and impossible in practice." A result somewhat unsatisfactory, perhaps, but by no means unusual in the case of speculations founded on transcendental absurdities. But it generally turns out that "wisdom is justified of her children," and the experience of mankind, in the end, puts to shame the theories of those who are sagacious only in their own conceit.

Temple.

HISTORICUS.

LEARNED SOCIETIES.

LIST OF MEETINGS FOR NEXT WEEK.

MONDAY.

ARCHITECTS—Conduit-street, Hanover-square, at 8 p.m. "Building and Sanitary Arrangements." By John Taylor, Jun., Esq.
GEOGRAPHICAL—Burlington House, at 8½ p.m. 1. "Ocean Currents on the North-East Coast of South America." By Mr. J. A. Mann. 2. "Ocean Telegraphy." By Captain Rowett. 3. "Survey of the Natural Condition of the Atlantic, with special regard to Telegraphic Communication between Europe and America." By Dr. G. C. Wallich.
LONDON INSTITUTION—Finsbury Circus, at 7 p.m. "Sculpture." By Professor R. Westmacott, R.A.
MEDICAL—32a, George-street, Hanover-square, at 8½ p.m. "On the Artificial Hand of Sergeant Gallegos, and other cases." By Mr. Bishop.

TUESDAY.

ETHNOLOGICAL—4, St. Martin's Place, at 8 p.m. 1. "On the Commixture of the Races of Man as affecting the Progress of Civilization." By J. Crawfurd, Esq., President. 2. "On the Human Skull found at Kellet, in Lancashire." 3. "On some Ancient Indian Antiquities from Ecuador." By Mr. Bollaert.
CIVIL ENGINEERS—25, Great George-street, Westminster, at 8 p.m. "On Railway Telegraphs and the application of Electricity to the Signalling and Working of Trains." By Mr. W. H. Preece.
MEDICAL & CHIRURGICAL—53, Berners-street, Oxford-street, at 8½ p.m.
SYRO-EGYPTIAN—22, Hart-street, Bloomsbury.
ZOOLOGICAL—11, Hanover-square, at 9 p.m. 1. "On the Ornithology of the Island of Bourou." By Mr. A. R. Wallace. 2. "On Snakes collected by Mr. R. F. Burton in West Africa." 3. "On an Australian Venomous Serpent." By Dr. Günther.

WEDNESDAY.

ARCHÆOLOGICAL ASSOCIATION—Sackville-Street, at 8½ p.m. 1. "On the Proceedings of Charles I. from the Storming of Leicester to the Battle of Naseby," illustrated by Letters of Charles I. By Sir Henry Halford. 2. "On a Roman Villa at Marlston, Berkshire," and exhibition of the Antiquities found therein. By Dr. Palmer. 3. "On Ancient Brand-irons." By Mr. Syer Cuming.
MICROSCOPICAL—King's College, at 8 p.m.
LONDON INSTITUTION—Finsbury Circus, at 7 p.m. "Commercial Law." By G. W. Hastings, LL.B.
SOCIETY OF ARTS—John-street, Adelphi, at 8 p.m.
GRAPHIC—Flaxman Hall, University College, at 8 p.m.

THURSDAY.

ROYAL SOCIETY—Burlington House, at 8.30 p.m. 1. "Notes of Researches on the Poly-Ammonias, No. XXI.—Secondary Products formed in the Manufacture of Aniline." By Dr. Hoffmann. 2. "On the Form of the Crystals of Benzoyl." By Dr. W. H. Miller. 3. "On the Synthesis of Leucic Acid." By Dr. Frankland. 4. "On the Artificial Formation of Fibrin from Albumen." By A. Smee, jun.
ANTIQUARIES—Somerset House, at 8.30 p.m.
LINNEAN—Burlington House, at 8 p.m. 1. "On Loranthaceæ." By Professor Oliver. 2. "New Species of Aeria." By Dr. Anderson. 3. "Germination of Seed in *Cyclamen nefandum* and *C. persicum*." By Dr. Masters. 4. "Development of *Chileon (Ephemera) dimidiata*." By J. Lubbock, Esq. 5. "Japanese Species of *Leiostraca*." By Mr. Adams.
CHEMICAL—Burlington House, at 8 p.m. "On the Atomic Weights of Nickel and Cobalt." By Dr. W. T. Russell.
NUMISMATIC—13, Gate-street, Lincoln's Inn Fields, at 7 p.m.

FRIDAY.

PHILOLOGICAL—Somerset House, at 8.15 p.m. "The Sanskrit Language as the basis of Linguistic Science, and the Labours of the German School of Philology in that field—are they not overvalued?" By Professor T. Hewitt Key.
LONDON INSTITUTION—Finsbury-circus, at 7 p.m. "Non-Metallic Elements." By Professor Field.

LIST OF NEW PUBLICATIONS FOR THE WEEK.

Arundell's (A.) Practical Treatise on the Law relative to Mines and Mining Companies. Crown 8vo., cloth, 4s.
 Bailey's (Samuel) Letters on the Philosophy of the Human Mind. Third series. Svo., cloth, 8s. 6d.
 Barnes's (W.) Poems of Rural Life, in the Dorset Dialect. Third Collection. Feap., cloth, 4s. 6d.

- Bennett's (C.) The Stories that Little Breeches Told. Second edition, illustrated. Crown 4to., 5s. plain, 7s. 6d. coloured cloth.
 Bernard (Saint), Life and Times of, A.D. 1091—1153. By J. C. Morison, M.A. Svo., cloth, 14s.
 Blomfield's (Bishop) Manual of Family Prayers. New edition. Crown 8vo., cloth, 3s. 6d.
 Bowe's (Rev. G. S.) Illustrative Gatherings for Preachers and Teachers. Third edition. Feap., cloth, 5s.
 Boyle's Court Guide. New edition, corrected to January, 1863. 12mo., bds., 5s.
 Bromfield's (J.) Lower Brittany and the Bible there: its Priests and People. Crown, Svo., cloth, 9s.
 Bryce's (A. R.) Second Latin Reader: extracts from Nepos, Caesar, &c. Crown, Svo., cloth, 3s. 6d.
 Cassell's Illustrated Exhibitor of the Objects in the International Exhibition. 4to., cloth, 7s. 6d.
 Census Tables of England and Wales. 6d. on a sheet.
 Chambers' (T. K.) The Renewal of Life: Chemical Lectures on a Restorative System of Medicine. Second edition. Crown, 8vo., cloth, 6s. 6d.
 Champneys' (Rev. W. W.) Drops from the Deep Well. 18mo., cloth, 1s.
 Christian Advocate (The), and Review. Vol. 2, 1862. 8vo., cloth, 7s. 6d.
 Cousin Bessie: a Story of Youthful Earnestness. By Mrs. C. L. Balfour. Crown 8vo., cloth, 1s.
 Cumming's (Rev. Dr. John) Driftwood, Seaweed, and Fallen Leaves. 2 vols. Post Svo., cloth, £1. 1s.
 Curling's (T. B.) Observations on Diseases of the Rectum. Third edition, enlarged. Svo., cloth, 7s. 6d.
 Dublin Examination Papers for 1863. 12mo., bds., 2s. 6d.
 Dublin University Calendar for 1863. 12mo., canvas, 3s. 6d.
 Easy Lessons; or, Leading Strings to Knowledge. New edition. 16mo., cloth, 2s. 6d. plain, 3s. 6d. coloured.
 Eric; or, Little by Little. By F. W. Farrar. Sixth edition. Feap., cloth, 5s.
 Every Man's own Lawyer: a Handy-book of the Principles of Law and Equity. 12mo., cloth, 6s. 6d.
 Fowler's (Rev. F. W.) Answer to Bishop Colenso on the Pentateuch. Svo., sewed, 2s.
 Fyfe's (J. H.) The Enterprise beyond the Seas; or, the Planting of Our Colonies. Feap., cloth, 3s. 6d.
 Geldart's (Mrs.) The Sick Room and its Secret. Crown 8vo., cloth, 1s.
 "Give ye them to Eat:" Plain Words on the Cotton Famine. 12mo., sewed, 6d.
 Greenhow's (W. T.) The Shipping Law Manual. 8vo., cloth, £1.
 Help Onward; or, Short Meditations for Every Day in the Year. 16mo., cloth, 3s. 6d.
 Help and Comfort for the Sick Poor. Fourth edition. Feap., sewed, 1s.
 Henry and Mary; or, the Little Orphans. By Susan Cobbett. Feap., cloth, 1s.
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